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STATE OF MINNESOTA



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Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
SCHEDULE FOR VOLUME 6			
19	Monday Oct 26	Monday Nov 2	Monday Nov 9
20	Monday Nov 2	Friday Nov 6	Monday Nov 16
21	Friday Nov 6	Monday Nov 16	Monday Nov 23
22	Monday Nov 16	Friday Nov 20	Monday Nov 30

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, 506 Rice Street, St. Paul, Minnesota 55103. (612) 296-0930.

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The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

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How to Follow State Agency Rulemaking Action in the *State Register*

State agencies must publish notice of their rulemaking action in the *State Register*. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a **NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION**. Such notices are published in the **OFFICIAL NOTICES** section. Proposed rules and adopted rules are published in separate sections of the magazine.

The **PROPOSED RULES** section contains:

- Calendar of Public Hearings on Proposed Rules.
- Proposed new rules (including Notice of Hearing and/or Notice of Intent to Adopt Rules without A Hearing).
- Proposed amendments to rules already in existence in the Minnesota Code of Agency Rules (MCAR).
- Proposed temporary rules.

The **ADOPTED RULES** section contains:

- Notice of adoption of new rules and rule amendments (those which were adopted without change from the proposed version previously published).
- Adopted amendments to new rules or rule amendments (changes made since the proposed version was published).
- Notice of adoption of temporary rules.
- Adopted amendments to temporary rules (changes made since the proposed version was published).

All **ADOPTED RULES** and **ADOPTED AMENDMENTS TO EXISTING RULES** published in the *State Register* will be published in the Minnesota Code of Agency Rules (MCAR). Proposed and adopted **TEMPORARY RULES** appear in the *State Register* but are not published in the MCAR due to the short-term nature of their legal effectiveness.

The *State Register* publishes partial and cumulative listings of rule action in the **MCAR AMENDMENTS AND ADDITIONS** list on the following schedule:

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Issues 14-25, inclusive	Issues 40-51, inclusive
Issue 26, cumulative for 1-26	Issue 52, cumulative for 1-52
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PROPOSED RULES

Pursuant to Minn. Laws of 1980, § 15.0412, subd. 4h, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
 2. that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30-day comment period;
 3. of the manner in which persons shall request a hearing on the proposed rules;
- and
4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of § 15.0412, subds. 4 through 4g, which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Minnesota Municipal Board Proposed Rules Amending Filing Fees

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Municipal Board has proposed the following rule amending the fees charged for filing petitions and resolutions for proposed boundary adjustments. This rule is promulgated pursuant to Minnesota Statutes, § 414.01, subd. 10, Minnesota Statutes, § 15.0412, subd. 4 (1981), and Minnesota Statutes, § 16A.128 (1981). These provisions authorize the Minnesota Municipal Board to adopt rules amending its fees without a public hearing when the total fees estimated to be received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.

No hearing will be held prior to the promulgation of this rule by the Minnesota Municipal Board. A statement of need and reasonableness is available to the public in the Municipal Board office. All interested persons are hereby afforded the opportunity to submit their comments on the proposed rule for 30 days immediately following publication of this material in the *State Register* by writing to the Executive Director, Minnesota Municipal Board, 165 Metro Square Building, Saint Paul, MN. The proposed rules may be modified if modifications are supported by the data and views submitted. Any written material received shall become part of the record in the final adoption of the proposed rules. Any person who desires to be notified when the proposed rule and record herein are submitted to the Attorney General should so inform the Executive Director of the Minnesota Municipal Board. A copy of the proposed rule is attached to this notice. Publication is hereby ordered.

Rule as Proposed

~~MNC 20~~ 10 MCAR § 4.020 Schedule of filing fees.

(~~a~~) A. Incorporation of a municipality. A petition for incorporation of a municipality must be accompanied by a filing fee of ~~\$300.00~~ \$600 when filed with the ~~Commission~~ board.

(~~b~~) B. Consolidation proceedings; municipality and town. A petition for consolidation of a municipality and town must be accompanied by a filing fee of ~~\$100.00~~ \$200.

(~~c~~) C. Annexation of unincorporated property. A filing fee of ~~\$2.00~~ \$4 per acre must accompany a petition to annex unincorporated property. The minimum fee is ~~\$50.00~~ \$100 and the maximum is ~~\$300.00~~ \$600. Where the petition is initiated by property owners, the filing fee will be reimbursed by the annexing municipality if annexation is successful.

(~~d~~) D. Orderly annexations within a designated area. A filing fee of ~~50 cents~~ \$1 per acre must accompany the joint resolution or petition for designation. The minimum fee is ~~\$12.50~~ \$25 and the maximum is ~~\$100.00~~ \$200. Thereafter requests for the initiation of annexation of any part of the designated area shall be accompanied by a filing fee of ~~50 cents~~ \$1 per acre with a minimum of ~~\$12.50~~ \$25 and a maximum of ~~\$100.00~~ \$200.

(~~e~~) E. Annexation by ordinance. A filing fee of ~~\$2.00~~ \$4 per acre must accompany the initial petition, resolution, or ordinance submitted to the ~~Commission~~ board (with a minimum of ~~\$50.00~~ \$100 and a maximum of ~~\$300.00~~ \$600) before a file will be opened on the proceeding.

(F) F. Consolidation of two or more municipalities. A fee of ~~\$100.00~~ \$200 must accompany a petition for consolidation of a municipality or municipalities to an adjoining municipality when filed with the ~~Commission~~ board.

(G) G. Detachment of property from a municipality. A filing fee of ~~\$2.00~~ \$4 per acre must accompany a petition to detach property from a municipality. The minimum fee is ~~\$50.00~~ \$100 and the maximum is ~~\$300.00~~ \$600.

(H) H. Concurrent detachment and annexation of incorporated land. A filing fee of ~~\$2.00~~ \$4 per acre must accompany the concurrent resolutions with a minimum fee of ~~\$50.00~~ \$100 and a maximum of ~~\$300.00~~ \$600.

Department of Revenue Income Tax Division

Proposed Rule Relating to Depreciation for Corporation Income Tax (13 MCAR § 1.6501)

Notice of Hearing

A public hearing concerning the adoption of the proposed new rule will be held in Room 81, State Office Building, 435 Park Street, St. Paul, Minnesota 55155, on Thursday, December 3, 1981, commencing at 9:00 a.m. The proposed new rule may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed new rule, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested (or affected) persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or materials may be submitted to George Beck, Office of Administrative Hearings, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8108, either before the hearing or within five working days after the close of the hearing. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is covered by Minn. Stat. §§ 15.0411 to 15.0417 and 15.052 and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

Twenty-five days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at the Office of Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed rule. Copies of this statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

The proposed new rule (13 MCAR § 1.6501) reads as follows:

"For property held by a corporation and used in a trade or business or held for the production of income and which is placed in service after December 31, 1980, a reasonable allowance for depreciation shall be based on the provisions of the accelerated cost recovery system, including the useful class lives, as contained in section 168 of the Internal Revenue Code as provided in section 201(a) of the Economic Recovery Tax Act of 1981, P.L. 97-34."

The agency's authority to adopt the proposed new rule is contained in Minn. Stat. §§ 290.09, subd. 7(A) and 290.52 and in an Opinion of the Attorney General, dated September 23, 1981.

The agency estimates that there will be no cost to local public bodies in the state to implement the rule for the next two years immediately following its adoption within the meaning of Minn. Stat. § 15.0412, subd. 7.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing you may request notification by sending a written request to the hearing examiner in the case of the hearing examiner's report or to the agency in the case of the agency's submission or resubmission to the Attorney General.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

PROPOSED RULES

Copies of the proposed rule are now available. Persons with questions about the rule or who desire a free copy of the rule should contact:

Mr. Dale H. Busacker
Attorney, Income Tax Division
Minnesota Department of Revenue
Centennial Office Building
St. Paul, Minnesota 55145
(612) 296-3439

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11 (1980) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone 612-296-5615.

October 15, 1981

Clyde E. Allen, Jr.
Commissioner of Revenue

Rule as Proposed (all new material)

13 MCAR § 1.6501 Depreciation for corporations. For property held by a corporation and used in a trade or business or held for the production of income and which is placed in service after December 31, 1980, a reasonable allowance for depreciation shall be based on the provisions of the accelerated cost recovery system, including the useful class lives, as contained in section 168 of the Internal Revenue Code of 1954, as provided in section 201(a) of the Economic Recovery Tax Act of 1981, Public Law Number 97-34.

Department of Health Minnesota Merit System

Proposed Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization: Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Notice of Hearing

A public hearing concerning the above-entitled matter will be held in Conference Room A, fourth floor, Centennial Office Building, St. Paul, Minnesota, 55155 on December 3, 1981, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above-entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Peter C. Erickson, Office of

Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota 55104, either before the hearing or within five working days after the public hearing ends. The telephone number is (612) 296-8118. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

Notice is hereby given that 25 days prior to the hearing, a statement of need and reasonableness will be available for review at the agency and at the Office of Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 7 MCAR § 1.235 provide definitions for seven new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation," "salary increase" and "commissioner."

Proposed revisions to 7 MCAR § 1.236 substitutes several references to the commissioner from references to either the State Board of Health or the Secretary and Executive Officer and provides new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the Merit System Council.

Proposed revisions to 7 MCAR § 1.237 also substitute several references to the commissioner from references to either the State Board of Health or the Secretary and Executive Officer; correct a rule reference to the state civil service act and the Department of Civil Service; provide an additional responsibility for the Merit System Supervisor of proposing amendments to Merit System rules.

Proposed revisions to 7 MCAR § 1.238 remove the classification plan from the rules and provides for publishing them in the Health Merit System Manual; eliminate the section of the rule allowing amendments to the classification plan for up to six months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination; provide for a time limit of 60 days in accomplishing reallocations; explain the process for amending the classification plan.

Proposed revisions to 7 MCAR § 1.239 reword those sections involving the preparation and adoption of a compensation plan by the commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase on cost-of-living salary adjustments from 8% to 9%, provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all merit system employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 7 MCAR § 1.260.

Proposed revisions to 7 MCAR § 1.242 include new language allowing the supervisor to determine the content of all examination processes; provide for disqualification of applicants who cheat on examinations or falsify their identification; eliminate investigation by the Merit System of an applicant's training and experience; allow the supervisor to establish examination passing points and eliminate current language referring to special written tests.

Proposed revisions to 7 MCAR § 1.244 remove the Merit System Council from involvement with selective certification requests; provide for the certification of names from the reemployment list as extra names; clarify eligibility for appointment of certified eligibles.

Proposed revisions to 7 MCAR § 1.246 clarify the duration of the probationary period; provide for unpaid leaves of short duration not affecting the duration of the probationary period; eliminate investigation by the supervisor of validity of requests to extend the probationary period; substitute references to the commissioner for references to the Secretary and Executive Officer.

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PROPOSED RULES

Proposed revisions to 7 MCAR § 1.249 define suspensions not appealable to the Merit System Council.

Proposed revisions to 7 MCAR § 1.250 clarify employees who shall and shall not accrue vacation leave; provide for accrual of vacation leave by part-time employees; allow for transfer of vacation leave from one agency to another under certain circumstances; allow for reinstatement of previously accrued sick leave for former employees who are reemployed; allow for transfer of sick leave between appointing authorities; provide for accrual of sick leave by part-time employees; define eligibility for holiday pay; provide for pro-rated holiday pay for part-time and intermittent employees; provides that the holidays occurring during an employee's paid vacation or sick leave period shall not be charged to vacation or sick leave.

Proposed revisions to 7 MCAR § 1.254 strike current language entirely; provide new language governing appeals and hearings; provide new language for possible resolution of appeals by the supervisor prior to consideration by the council; insert new language providing that actions appealed under a collective bargaining agreement may not also be appealed to the council; new language preserves all appealable actions contained in old language.

Proposed revisions to 7 MCAR § 1.260 repeal all of the old language in this rule and incorporate it as part of 7 MCAR § 1.239.

Proposed revisions to 7 MCAR § 1.261 change rule references only.

Proposed revisions to 7 MCAR § 1.262 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 7 MCAR § 1.314 provide for a general upgrading of salary ranges for most of the classes by 8% with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 7 MCAR § 1.315 correct a rule reference only.

In view of proposed amendments to 7 MCAR § 1.238 removing the classification plan from the rules, it is proposed to repeal 7 MCAR §§ 1.260-1.313, consisting of the class specifications for all Health Merit System classifications.

The cost to local public bodies of implementing the proposed rule changes will not exceed \$100,000 for 1982.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. § 144.071.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone 612/296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone 612/296-5615.

October 6, 1981

George R. Pettersen, M.D.
Commissioner of Health

Rules as Proposed**Chapter 1: Rules****7 MCAR § 1.235 Definitions.**

A. Application. The following definitions apply ~~throughout these rules~~ to 7 MCAR § 1.235-1.315, unless the context clearly requires another meaning.

~~1-~~ B. Allocation. "Allocation" means the ~~original~~ assignment of a position to an appropriate class on the basis of kind, difficulty, and responsibility of the work performed in the position.

~~2-~~ C. Appointing authority. "Appointing authority" means the county board of commissioners or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the merit system for public health.

~~3-~~ D. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority which affects the duties and responsibilities of a position.

~~3-~~ E. Class. "Class" means one or more positions sufficiently similar in the duties performed, degree of supervision exercised or required, requirements of training, experience, or skill, and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all the positions.

~~4-~~ F. Classified service. "Classified service" means all positions covered by these rules as provided in 7 MCAR § 1.236 ~~A-E.~~

~~5-~~ G. Commissioner. "Commissioner" or "commissioner of health" means the administrative head of the Department of Health.

~~5-~~ H. Council. "Council" means the merit system council.

~~6-~~ I. County register. "County register" means the subregister established for a county from a statewide register, ~~either competitive or promotional,~~ register containing the names of persons who have resided legal residence in the county for 30 days or, in the event of a promotional examination, who are employed by the local agency.

~~7-~~ J. Day. "Day" means calendar day except where otherwise specified in the specific rule.

~~8-~~ K. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

~~9-~~ L. Desirable qualifications. "Desirable qualifications" means the requirements of training and experience desired but not necessary to qualify for a given class of positions in the classification plan.

~~10-~~ M. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled in accordance with the provisions of Minn. Stat. § ~~43.30~~ 43A.11.

~~11-~~ N. Dismissal. "Dismissal" means the termination of employment ~~of an employee~~ for cause.

~~12-~~ O. Eligible person. "Eligible" or "eligible person" means any person whose name is on a register.

~~13-~~ P. Emergency appointment. "Emergency appointment" means an appointment required by a state of emergency as described in ~~7 MCAR § 1.241~~ 7 MCAR § 1.245 C.

~~14-~~ Q. Employee. "Employee" means any person employed by a local public health agency in a position covered by ~~these rules~~ (7 MCAR § 1.236 E.) who is paid a salary or wage.

~~15-~~ R. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. § 179.63, subd. 6.

~~16-~~ S. Facsimile. "Facsimile" means a replica, e.g., facsimile of ~~12 MCAR § 2.541~~ 7 MCAR § 1.315 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four-week rates if paid on this basis or the daily rate based on the number of working days in the month. The number of working days in a month is 20, 21, 22 or 23 days if an employee is paid on a monthly basis.

~~17-~~ T. Intermittent employee. "Intermittent employee" means an employee who works whenever needed or on a schedule which cannot be predicted in advance.

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PROPOSED RULES

~~18.~~ U. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on ~~the annual~~ a salary survey or a review of consumer price index changes under 7 MCAR § 1.2392.

~~19.~~ V. Layoff. "Layoff" means the termination of employment because of ~~shortage~~ abolishment of a position, lack of funds or curtailment of services, shortage of work, or other reason beyond the control of the employee.

W. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their positions, lack of funds, shortage of work, or other reason beyond the control of the employee.

~~20.~~ X. Limited term appointment. "Limited term appointment" means an appointment from a register for a period not to exceed six months as described in 7 MCAR § ~~1.244~~ 1.245.

~~21.~~ Y. Local agency. "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's public health responsibilities.

~~22.~~ Z. Local public health authority. "Local public health authority" means the governing board, commission, or council under whose authority a county, town, village, or borough establishes a local public health agency.

~~23.~~ AA. Merit increase. "Merit increase" means a ~~salary~~ an increase given to an individual employee based on meritorious job performance.

~~24.~~ BB. Military leave. "Military leave" means ~~the~~ a leave of absence granted by state law to employees entering active duty in the armed forces of the State of Minnesota or the United States of America.

~~25.~~ CC. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~26.~~ DD. Original appointment. "Original appointment" means a regular appointment of an individual to a local public health staff through selection from an open-competitive register ~~and.~~ It is the beginning point of the probationary period, (sometimes referred to as a probationary appointment).

~~27.~~ EE. Permanent employee. "Permanent employee" means an employee who has successfully completed ~~his/her~~ a probationary period or who has attained permanent status upon the installation of the merit system.

~~28.~~ FF. Position. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full or part-time employment of one person.

~~29.~~ GG. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which ~~they have~~ the employee has been appointed from an eligible list.

~~30.~~ HH. Probationary period. "Probationary period" means the first six-month working test period during which a new appointee is required to demonstrate ~~his~~ fitness for the position to which he is appointed by actual performance of the duties of the position.

~~31.~~ II. Promotion. "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~32.~~ JJ. Provisional appointment. "Provisional appointment" means an appointment of a person not on a register to fill a position pending the establishment of a register for ~~such that~~ that position in accordance with the provisions of 7 MCAR § ~~1.241~~ 1.245.

~~33.~~ KK. Reallocation. "Reallocation" means a ~~reassignment, or change in allocation, of a position by raising it to a higher class of positions, reducing it to a lower class of positions, or moving it to another class of positions at the same level, on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in the position~~ the reclassification of a position resulting from significant changes that occur gradually over a period of time in the duties and responsibilities of the position.

LL. Reclassification. "Reclassification" means a change in the allocation of a position to a higher, lower, or equivalent class.

MM. Re-employment list. "Re-employment list" means a list of former permanent or probationary employees who have been laid off or who have voluntarily separated from merit system employment in good standing and whose applications for re-employment in the merit system are submitted within one year of separation.

~~34.~~ NN. Register. "Register" means an officially established list of eligibles for a particular class.

~~35.~~ OO. Resignation. "Resignation" means the termination of employment made at the request of the employee.

~~36.~~ PP. Salary adjustment. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, ~~and/or~~ labor market conditions, or a combination of these reasons.

~~37. "Secretary and Executive Officer" means the Secretary and Executive Office of the Minnesota State Board of Health, who is also the administrative head of the Minnesota Department of Health.~~

QQ. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost of living factors, going rates for similar jobs, labor market conditions, or a combination of these reasons.

~~38. RR. State agency. "State agency" means the Minnesota State Board of Health acting through the State Department of Health, which is responsible for the administration and supervision of the public health programs in the State of Minnesota.~~

39. SS. Supervisor. "Supervisor" means the merit system supervisor.

~~40. TT. Suspension. "Suspension" means an enforced leave of absence with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.~~

~~41. UU. Temporary employee. "Temporary employee" means an employee who has been appointed to a position from an eligible register but the appointment has a definite ending date.~~

~~42. VV. Transfer. "Transfer" means a change from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.~~

~~43. WW. Veteran. "Veteran" means all persons a person defined as veterans a veteran by Minnesota Statutes, Section 197.45 Minn. Stat. § 197.447.~~

~~44. XX. Veterans' preference. "Veterans' preference" means the preference granted to veterans by Minnesota Statutes, Sections 197.45 and 197.46 Minn. Stat. § 43A.11.~~

7 MCAR § 1.236 Statement of policy and means of effecting policy.

A. Objectives. ~~1.~~ The ultimate purpose in effecting the merit principle of personnel administration of the local public health agencies is to promote economy and effective service. It is the declared aim of the Minnesota State Board Department of Health to put into full force and effect the merit principles of personnel administration. To this end the council, the supervisor, and the Minnesota State Board of health, acting through its Secretary and Executive Officer and the Minnesota Department of Health, commissioner shall work toward the objectives of:

~~a. 1.~~ 1. The proper classification of positions in order that positions essentially alike in duties and responsibilities shall be treated alike and that positions not so alike shall be treated with due consideration of the nature and extent of the differences between them.

~~b. 2.~~ 2. Fair and equal opportunity to all qualified citizens of the United States to compete for positions and promotions under the jurisdiction of the merit system solely on the basis of merit and fitness as ascertained through practical examination.

~~e. 3.~~ 3. An attractive career service in public health employment within the State of Minnesota.

~~2. The ultimate purpose in effecting the merit principle of personnel administration of the local Public Health agencies is to promote economy and effective service.~~

B. Adoption of the rules. ~~1.~~ These Rules 7 MCAR §§ 1.235-1.263 have been adopted to accomplish the objectives stated in 7 MCAR § ~~1.236~~ A. The rules have been promulgated by the State Board of Health commissioner in accordance with Minnesota Statutes ~~1969, Section 144.071~~ Minn. Stat. § 144.071, and in compliance with the provisions of Minnesota Statutes, Chapter Minn. Stat. ch. 15. Rules 7 MCAR § §§ 1.235 through 7 MCAR § ~~1.263~~ of the public health merit system have been adopted in accordance with Chapter 15 of Minnesota Statutes Minn. Stat. ch. 15 and have the force and effect of law. Rules Merit System Manual IV-5000 through ~~6530~~ of the public health merit system ~~provide~~ provides instructions to appointing authorities necessary to the implementation of the rules ~~and regulations~~. These rules ~~from the manual~~ are accorded similar status under these rules ~~and regulations~~.

C. Amendment of the rules. ~~1.~~ If and when it appears desirable in the interests of good administration, the State Board of Health commissioner with the advice and recommendations of the council, may amend these rules after compliance with the provisions of Minnesota Statutes, Chapter Minn. Stat. ch. 15. For this purpose, the Secretary and Executive Officer

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PROPOSED RULES

commissioner is authorized to call and hold public hearings for the purpose of amending these rules as well as to perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing and notice of hearing as well as acting as presiding officer or appointing a presiding officer for the hearing. Amendments of the rules ~~and regulations~~ specified in 7 MCAR § 1.236 B. 1. shall be considered as amendments of these rules.

D. Editing of the rules. ~~1. Prior to~~ Before issuing or reissuing sections of the merit system rules, the supervisor may make the following, and only the following, changes. Such changes shall not be deemed to be amendments to the rules, and each shall be reported to the ~~Secretary and Executive Officer~~ commissioner before release of the material. Any changes not approved by the ~~Secretary and Executive Officer~~ commissioner shall be excluded from the material to be released. The supervisor may make:

~~a.~~ 1. Changes to correct spelling or typographical errors;

~~b.~~ 2. Changes to correct grammatical construction, but ~~such~~ the changes shall not alter the interpretation, intent, or purpose of the rule;

~~c.~~ 3. Changes to correct exact quotations of statutes; which are clearly identified as such by enclosure in quotation marks and by citation of statutory reference; when enactment of statutory amendments make ~~such that~~ action necessary to make the quotations true and accurate; ; and

~~d.~~ 4. Changes to renumber rules or rule references as necessary due to the adoption of new rules or the abolition of existing rules.

E. Positions covered by ~~these rules.~~

~~1. These~~ These Rules 7 MCAR §§ 1.235-1.263 shall apply to every position created under the jurisdiction of the local public health authority and for which any federal personnel funds are paid to the local jurisdiction except any local public health officer appointed pursuant to Chapter 145, Minnesota Statutes 1969 Minn. Stat. ch. 145, created under the jurisdiction of the local public health authority and except the position of the director of a comprehensive health department established pursuant to Chapter 235, Minnesota Sessions Laws 1969, for which any federal personnel funds are paid to the local jurisdiction Laws of 1969, ch. 235.

F. Political activity.

1.-4. [Unchanged.]

5. Any employee may be a candidate in nonpartisan elections. These are elections in which none of the candidates is to be nominated or elected as representing a political party whose candidates for presidential elector ~~receives~~ received votes ~~at~~ in the last ~~preceding~~ presidential election.

6. [Unchanged.]

G. Prohibition against discrimination; generally. ~~1.~~ No person shall be discriminated for or against such matters as his recruitment, examination, appointment, tenure, compensation, classification, or promotion or in such matters as conditions, facilities, or privileges of employment because of his race, color, creed, religion, national origin, physical disability (where such disability does not interfere with the completion of assigned duties), age, or sex. Any person aggrieved by a violation of the above prohibitions may file a complaint under the provisions of ~~the Minnesota State Act Against Discrimination, Chapter 363 of Minnesota Statutes~~ Minn. Stat. ch. 363.

~~2.~~ H. Political opinions; discrimination. No person shall be discriminated for or against as provided in ~~MCAR § 1.236~~ G. 1. because of his political opinions or affiliations within the limitations imposed by ~~Rules 1126 F.~~ Rules 1126 F., nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of ~~Chapter 363 of Minnesota Statutes~~ Minn. Stat. ch. 363 may file a complaint with the supervisor setting forth the basis of his belief that an act or threat or promise of an act of discrimination occurred and identifying by name and position the person alleged to have committed such act or threat or promise of an act of discrimination.

~~3.~~ I. Investigations of discrimination. The supervisor or his designated representative shall conduct an investigation of the alleged discrimination and shall report the complaint and the findings of the investigation to the council at its next meeting. The complainant shall have the right to present his complaint personally to the council. The council shall order any further investigation or hearing as may be warranted ~~preliminary to~~ before making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent future discrimination.

~~H.~~ J. Violations.

1. Violations of any of the provisions of ~~these rules~~ 7 MCAR §§ 1.235-1.263 by an employee in the service shall be considered sufficient cause for the dismissal of ~~such that~~ that person.

PROPOSED RULES

2. Violations of 7 MCAR §§ 1.235-1.263 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. If the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who shall take appropriate action including, but not limited to, denial or suspension of all or part of state and federal administrative reimbursement funds.

3. An appointing authority may appeal any denial or suspension of administrative reimbursement to the merit system council which shall make its recommendation to the commissioner. The commissioner's decision shall be final.

7 MCAR § 1.237 Organization.

A. ~~Minnesota State Board of Health~~ Duties and powers of commissioner.

~~+~~ "The ~~Board~~ commissioner may establish a merit system for employees of county or municipal health departments or public health nursing services or health districts, and may promulgate rules and regulations governing the administration and operation thereof. In the establishment and administration of the merit system authorized by this section, the ~~board~~ commissioner may utilize facilities and personnel of any state department or agency with the consent of such department or agency. The ~~board~~ commissioner may also, by rule or regulation, cooperate with the federal government in any manner necessary to qualify for federal aid." (~~Minnesota Statutes 1969, Section~~ Minn. Stat. § 144.071.)

B. Provisions of Rules to Affect Employees of Local Public Health Authorities with Civil Service Systems Affected employees. ~~+~~ The authority to require methods relating to the establishment and maintenance of personnel standards on a merit basis shall extend to all employees of local public health authorities with civil service systems except as provided in 7 MCAR § 1.236 E.; ~~and these rules~~ Rules 7 MCAR §§ 1.235-1.263 shall be applicable to ~~such~~ these employees until ~~such time as~~ the local jurisdiction adopts and maintains rules and regulations affecting classification and compensation, examination and certification of eligibles, and other personnel standards that substantially conform to ~~these rules~~ 7 MCAR §§ 1.235-1.263 and are so certified as conforming by the supervisor.

C. Public Health Merit System Council.

1. The Public Health Merit System Council shall be the council appointed by the Governor to serve as the council for the county welfare merit system.

2. It shall be the duty of the council within the scope of ~~these rules~~ 7 MCAR §§ 1.235-1.263:

a. To establish general policies for the administration of merit examinations and the hearing of personnel appeals as provided in ~~Rule 7 MCAR § 1.254.~~ 1.254;

b. To hear such appeals or to appoint an appeal board of three members or to appoint a referee to hear such appeals on its behalf;

c. To consult with the supervisor in formulating procedures for the purpose of insuring conformity with the rules and the policies of the council;

d. To review the classification and compensation plans in relation to the merit system program of recruitment and examination and to consult with the ~~Secretary and Executive Officer~~ commissioner on their adoption and revision;

e. To make recommendations to the ~~Secretary and Executive Officer~~ commissioner about internal personnel policies to insure conformity with ~~the rules.~~ 7 MCAR §§ 1.235-1.263;

f. To promote public understanding of the purposes, policies, and practices of the merit system;

g. To review and make recommendations to the ~~Secretary and Executive Officer~~ commissioner about amendments to the rules of the public health merit system.

3. Meetings of the council shall be held as often as necessary and practicable upon call of the chairman, of the supervisor, or of the ~~Secretary and Executive Officer~~ commissioner. The ~~Secretary and Executive Officer~~ commissioner shall have the right to be represented at all meetings of the council, but such representation shall be without voting power. The council shall adopt procedures for the conduct of its activities.

4. [Unchanged.]

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C. D. Public health merit system supervisor.

1. The public health merit system supervisor shall be the duly appointed supervisor of the Minnesota merit system.
2. In conformance with ~~these rules~~ 7 MCAR §§ 1.235-1.263, it shall be the duty of the supervisor to:

a. ~~To~~ Develop and put into continuous effect policies and procedures for the administration of the merit system as they relate to the preparation, administration, and scoring of examinations; the preparation, custody, and maintenance of registers of eligibles; the determination of availability of eligibles for appointment; the certification for appointments; and the determination of the adequacy of existing registers;

b. ~~To~~ Develop and administer the classification and compensation plans and to consult with the ~~Secretary and Executive Officer~~ commissioner and with the council on the adoption and revision of such plans as they relate to the merit system program of recruitment and examination;

c. ~~To~~ Maintain personnel records of all persons employed under the merit system and records of all personnel action;

d. ~~To~~ Promote public understanding of the purposes, policies, and practices of the merit system and to develop and put into effect procedures for carrying out the personnel administration of the rules ~~and regulations~~ of the merit system;

e. ~~To~~ Appoint ~~members of his~~ a staff, including technicians, clerks, stenographers, and such other permanent or temporary employees as are necessary to carry out the provisions of ~~these rules~~ 7 MCAR §§ 1.235-1.263. ~~Such~~ The employees shall be chosen in accordance with the ~~provisions of the State Civil Service rules and regulations;~~ rules of the Minnesota Department of Employee Relations;

f. Review, develop, and propose amendments to existing merit system rules for consideration and recommendation by the merit system council and in accordance with Minn. Stat. ch. 15; and

~~f. g. To~~ Perform ~~such~~ other duties ~~as are~~ prescribed by ~~these rules~~ 7 MCAR §§ 1.235-1.263 or by the council.

7 MCAR § 1.238 Classification plan.

A. Presentation and adoption.

~~1.~~ The Commissioner of Health shall formally adopt a comprehensive classification plan for all positions covered by ~~these rules~~ 7 MCAR §§ 1.235-1.263 which shall be published as part of the Health Merit System Manual. The plan shall be based on investigation and analysis of the duties and responsibilities of positions and shall be so developed and maintained that all positions that are substantially similar in the kind, difficulty, and responsibility of work are included in the same class. Class titles established by the classification plan shall be used in all personnel and financial records of the Minnesota Department of Health and the local public health agencies, as well as in all examination procedures.

~~2.~~ Any subsequent amendment shall be submitted to the council for review and recommendation in relation to the merit system program of recruitment and examination.

B. Allocation of positions.

~~1.~~ Every position under the public health merit system as provided in ~~Rule~~ 7 MCAR § 1.236 E. shall be allocated by the supervisor to one of the appropriate classes established in the classification plan. No person shall be appointed or promoted to any position until it has been properly classified as herein provided. As additional classes are established or existing classes are abolished or changed, such necessary allocation or reallocation shall be made by the supervisor to new or existing classes as is ~~necessitated thereby~~ necessary.

C. ~~Reallocation~~ Reclassification of positions.

~~1.~~ Whenever a position appears to be improperly allocated, the supervisor shall, upon his own initiative, or upon the request of an appointing authority or a permanent employee, investigate the duties of the position. Following the investigation the supervisor shall allocate the position to its proper class and notify the affected parties.

D. Incumbents of ~~Reallocated~~ reclassified positions.

1. When a position is reclassified and it is determined to be a reallocation, the supervisor may authorize an appointing authority to promote the incumbent of the reallocated position. An employee so promoted shall serve a probationary period in the higher class.

2. When a position in one class is ~~reallocated to a different class~~ reclassified because of a change in allocation, the incumbent shall not be deemed eligible to continue in ~~this~~ the position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted, by appropriate action of the appointing authority in accordance with such provisions of ~~these rules~~ 7

MCAR §§ 1.235-1.263 as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of such a ~~reallocated~~ reclassified position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; he did not take and fail the examination from which the existing register was established; and he was eligible to take that examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply. A transfer, promotion, demotion, or layoff in accordance with 7 MCAR §§ 1.235-1.263 must occur within 60 days of the notification of reclassification of the position.

~~2.~~ 3. The Commissioner of Health may authorize the ~~reallocation~~ reclassification of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so ~~reallocated~~ reclassified must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

4. If the incumbent examined in accordance with the above procedure successfully completes the examination process, notwithstanding the provisions of ~~7 MCAR § 1.244 C.2.~~ 7 MCAR § 1.244 B., the supervisor may certify only the name of the eligible incumbent to the appointing authority. Notwithstanding the provisions of 7 MCAR § 1.246 B.1.a., an employee appointed under the provisions of this rule will not be required to serve a new probationary period in the higher classification.

E. Class specifications.

± The classification plan shall consist of written specifications for each class. Each specification shall include an appropriate class title, a description of the duties and responsibilities of the work, and the requirements of training, experience, and other qualifications.

F. Amendment Revision of the Classification plan.

1. ~~Whenever any changes in organization, creation of a new position, or a change in duties or responsibilities of a position necessitate a revision of the classification plan, the Supervisor shall conduct an investigation and analysis of the duties and responsibilities of the class specifications involved. New class specifications will be developed after consultation with the supervisory officials, classification specialists, and persons technically familiar with the character of the work.~~

2. ~~The proposed new or revised class specifications shall be submitted to the Merit System Council for review and recommendations. Upon such review and recommendation the Secretary and Executive Officer shall call and hold a public hearing on the proposed new or revised class specifications. Following the public hearing, the State Board of Health may formally adopt a new or revised class of positions and shall notify the agencies of the changes made.~~

3. ~~In the event of an emergency, the Merit System Council may approve a new or revised class specification for a period not to exceed six months, without the official Public Hearing. In no case will an emergency class specification last more than six months from the date of approval by the Merit System Council. Existing classes may be abolished or changed and new classes added in the same manner as outlined in A.~~

7 MCAR § 1.239 Preparation of compensation plan.

A. Preparation and Commissioner's adoption.

± The commissioner shall formally adopt and make effective a comprehensive compensation plan ~~(, as provided in 7 MCAR § 1.314),~~ for all classes of positions which shall apply to all agencies covered by the merit system except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those ~~limited~~ instances where the requirements of 7 MCAR ~~§ 1.260 C.~~ 1.239 B.3. have been satisfied. The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for ~~steps in~~ salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates in other similar employments for similar and competing types of employment in business and government, and other relevant factors shall be taken into consideration in ~~arriving at such~~ developing the salary ranges.

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2. B. Review by council. The proposed compensation plan and any subsequent amendments shall be submitted to the council for review and recommendation in relation to the Merit System program of recruitment and examination. After review and recommendation by the council and after compliance with Minn. Stat. ch. 15, the commissioner shall formally adopt the compensation plan. That plan shall be the official salary schedule of the Minnesota merit system on the date specified in the plan.

C. Classes of positions in plan. The comprehensive compensation plan shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes for which a single range of rates is found to be appropriate. Plans shall be established as provided in 7 MCAR § 1.314 as follows:

1. Professional and administrative: A, B, and C;
2. Health services support: A, B, and C;
3. Clerical: A, B, and C; and
4. Building maintenance: A and B.

~~B. 7 MCAR § 1.2391 Selection of salary ranges by local public health authority.~~

~~1. The local Public Health authority shall select a salary plan for all employees 1) except those in a bargaining unit where a salary schedule has been negotiated by the appointing authority and the exclusive representative and 2) except as provided in 7 MCAR § 1.239 B.6. Such a plan shall be selected from each of the following salary schedules provided under 7 MCAR § 1.314. Professional—A, B, C; Health Services Support Personnel—A, B, C; Clerical—A, B, C, D, E, F; and Building Maintenance—A and B.~~

~~2. Such rates, as provided for in 7 MCAR § 1.239 B.1., shall be identified by alphabetical designation, and adjustment of the plan as provided by 7 MCAR § 1.239 D. shall not serve to amend the alphabetically designated rates selected as the county plan.~~

~~3. The designation of the rates selected from the plan in each case shall be by resolution of the Public Health authority. The Supervisor shall be promptly notified of the rates selected by each jurisdiction.~~

~~4. The alphabetically designated rates selected by the local Public Health authority shall become the official plan for the local Public Health agency until amended by the salary setting authority as provided in 7 MCAR § 1.239 C.~~

~~5. Salary rates for incumbents of positions shall be established in accordance with the provision of 7 MCAR § 1.260 B.1. and 7 MCAR § 1.260 B.2. on the basis of the plan adopted by the local Public Health authority as provided above.~~

A. Adoption of an official plan. Appointing authorities shall choose a salary plan by resolution for each occupational grouping of classes from among the plans listed in 7 MCAR § 1.239 C. unless the provisions of E. apply or if salaries are negotiated with an exclusive representative. The plans adopted shall be the official plans for the appointing authority until amended.

B. Selection of rates. By resolution, each appointing authority shall designate the minimum, intervening, and maximum salary rates to be paid for each class of positions used by the appointing authority. The rates must be within the minimum and maximum salaries for the classes in the adopted plan. The appointing authority shall promptly notify the supervisor about the rates selected.

C. Plan amendments. By resolution, the appointing authority may amend its official plan for one or more occupational groupings of classes. The appointing authority shall promptly notify the supervisor about official action taken to amend its plan.

D. Incumbents. Salary rates for incumbents of positions shall be established in accordance with 7 MCAR § 1.239 B.-C. on the basis of the plan adopted as provided in 7 MCAR § 1.239 C.

~~6. E. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority has the discretion of paying may pay confidential, supervisory, and other personnel not covered by an exclusive representative who are in the same class as employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under 7 MCAR § 1.239 E.1. 1.2393. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.~~

C. Amendment of Salary Ranges Selected by Local Public Health Authority.

1. The local Public Health authority may amend the official plan for the jurisdiction by the selection of a different salary schedule as provided in 7 MCAR § 1.239 B.

2. The Supervisor shall be notified by letter of the official action of the local authority to amend the plan for the jurisdiction at least thirty days in advance of the effective date of such amended plan, unless such change results from the signing of a contract by the board and the exclusive representative.

~~D~~ 7 MCAR § 1.2392 Adjustment of the official salary schedule of the Minnesota merit system.

~~1~~ A. In general. The compensation plan provided in 7 MCAR § 1.314 shall be adjusted for changes in the level of salary rates in business and government for similar and competing types of employment and for changes in the Twin City Consumer Price Index.

~~2~~ B. Review of labor market conditions. In every odd-numbered year the supervisor shall conduct a review of the changes in the level of salary rates in the labor market since the time of the most recent adjustment of the compensation plan. This review shall utilize the data and findings of other labor market surveys and shall, to the extent possible, be based upon similar surveys and data used in previous reviews. The supervisor shall complete this study and report the findings to the Commissioner of Health on or before July 31 of each odd-numbered year.

~~3~~ If the report of the Supervisor reveals an increase or decrease in the salary rates in the labor market for similar and/or competing employment of four per cent or more, the Commissioner of Health shall announce a public hearing for a general adjustment of the compensation plan. If the changes in the labor market are of less than four per cent of differ significantly for various types of employment, the Commissioner may announce a public hearing to adjust the compensation plan in whole or in part.

~~4~~ The announcement of the public hearing to the affected agencies and employee organizations shall include the proposed compensation plan, an explanation of the adjustments proposed, and a summary of the findings of the survey upon which the proposed adjustment is based.

~~5~~ The public hearing shall provide opportunity for all interested individuals and groups to present evidence, testimony, and views of the proposed compensation plan. Following the public hearing and after consideration of all the evidence, the Commissioner shall make the decision.

C. Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with Minn. Stat. ch. 15 and 7 MCAR § 1.239. An amended compensation plan shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

~~6~~ The appointing authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that such employees were paid under the former plan.

~~7~~ D. Review of consumer price index. In every even-numbered year, the supervisor shall conduct a review of the changes in the consumer price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics, new series index (1967=100). The supervisor shall recommend that all rates of pay in the professional and administrative, health services support personnel, clerical, and building maintenance salary schedules be adjusted by an amount equal to 80 percent of the increase between the consumer price index for June of the current year and the consumer price index for June of the preceding year. This amount shall be rounded to the nearest tenth of a percent and may not exceed ~~8%~~ nine percent. The new recommended monthly salary rates shall be rounded to the nearest whole dollar. The same percentage increase recommended by the supervisor for all rates of pay shall be recommended as a general salary adjustment for all incumbents of positions in the Professional and administrative, health services support personnel, clerical, and building maintenance salary schedules. An amended compensation plan resulting from these recommendations shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning of the first payroll period following the next succeeding January 1.

E. Plan adjustments. The appointing authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that the employees were paid under the former plan.

~~E~~ 7 MCAR § 1.2393 Negotiation of salary schedule.

~~1~~ A. Role of exclusive representative. In ~~those~~ agencies where employees have elected an exclusive representative the appointing authority and the exclusive representative may negotiate their own salary schedules for employees in the bargaining unit by class, with the salary for each consistent with the functions outlined in the class specifications. ~~Initial~~ Minimum, intervening, and maximum rates of pay for each shall be established to provide for steps in salary advancement without change of duty; in the recognition of meritorious service. When a new classification not previously used in the agency is established in

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the middle of the contract period and ~~such~~ that class falls within the bargaining unit and no provision exists in the contract for establishing ~~such~~ those salaries, the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within ~~sixty~~ 60 days of the date of establishment of the classification.

~~2-~~ B. Filing. A complete copy of the adopted salary schedule must be filed with the supervisor within ten days after the signing of the contract or agreement. If the contract or agreement calls for succeeding increases in the salary schedule which change the original minimum and maximum salaries or intervening steps a new adjusted salary schedule must be filed with the supervisor within ten days after the effective date of any such succeeding adjustment.

~~F-~~ 7 MCAR § 1.2394 Administration of the plan; minimum rates of pay.

~~1-~~ On either the official salary schedule of the Minnesota Merit System or the negotiated salary schedules the entrance salary for any new employee shall be at the minimum salary for the class of positions to which the employee is appointed, except that the entrance salary may be above the minimum rate, provided that:

~~a-~~ Such appointment at a higher rate is justified by the exceptional qualifications of the individual and that others having similar qualifications are offered the same rate.

~~b-~~ Such appointment at a higher rate has first been offered to all individuals standing higher on the register who have been offered the appointment

AND

~~c-~~ Such appointment under a- or b- above shall be made at one of the regularly established steps in the salary range.

~~d-~~ When such appointment, except appointments under a-, above, is made by the appointing authority at other than the minimum of the range, all employees having probationary or permanent status in the same class in the local unit shall be at or above the point in the range at which the appointment is made, or they shall be raised to that point.

~~e-~~ Such appointments under a- or b- above shall be subject to the prior approval of the Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate. In agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. A request to appoint above the minimum rate of pay must be submitted in writing by the appointing authority to the supervisor for prior approval and must include the reasons why the request is being made.

7 MCAR § 1.2395 Salary adjustments and increases.

A. Availability of funds. Before salary increases and adjustments are made in accordance with related rules or in accordance with a negotiated collective bargaining agreement, the local public health authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

B. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with 1.-8.

1. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the merit system compensation plan adopted by the local public health authority, the rate shall be adjusted to that minimum.

2. If the rate of pay of an employee is at or above the new minimum salary adopted for the employee's class, the employee may receive the general merit system adopted adjustment and, if the employee's class was adjusted to a greater extent than the general adopted adjustment, the employee may receive the additional adjustment as provided in 7 MCAR § 1.2392 D. as long as that additional adjustment does not place the employee's salary over the new maximum adopted salary for the class.

3. If a local public health authority determines the general merit system adopted adjustment is inappropriate for its employees, the authority may grant a different adjustment. The authority shall file with the supervisor the new salary steps by class and a salary conversion table as provided for in 7 MCAR § 1.315. The adjustments shall at least place employees at the minimum salary and not over the maximum salary for their classes, on the salary plan adopted by the authority.

4. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class only if that merit system adjustment is adopted and only in the amount adopted for incumbents of that class.

5. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class of positions, the rate may remain the same as long as the employee retains the same classification.

6. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range due to the adoption of a merit system general adjustment, that rate may remain the same. In the case of subsequent merit increases, the employee shall be placed back on a step in the adopted salary range for the appropriate class.

7. Employees at the maximum salary rate for their class may be granted merit system adopted salary adjustments only in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to its employees than that adopted by the merit system and that adjustment would place an employee's rate of pay above the maximum salary rate for the employee's class, the appointing authority by prior resolution may grant to that employee the annual equivalent of the difference between the merit system adopted adjustment for incumbents and the agency adopted adjustment in the form of a single lump-sum salary payment on the effective date of the general adjustment. The employee's base salary shall remain at the maximum salary rate for the class.

8. An appointing authority may propose a salary increase within the salary range to an employee upon detailed written statements to the supervisor specifying the unusual employment conditions that make that action necessary and the interests of the authority that will be served by that action. The supervisor shall review each proposal giving due consideration to the salary rates paid other employees in the same class in the authority and may deny any request which in his judgment is contrary to the best interests of the merit system. Salary increases proposed in accordance with this provision are not based on employee performance or a general merit system adopted salary adjustment. The granting of such an increase shall not affect the employee's eligibility for subsequent merit increases or salary adjustments in accordance with merit system rules. If the unusual employment conditions giving rise to such an increase are of a temporary nature, the employee's salary shall be decreased to its previous level upon termination of those conditions, notwithstanding the provisions of 7 MCAR § 1.2397 A. or 1.2541 D.1.

C. Recommended adjustments. The merit system general adjustment recommended for incumbents is eight percent for employees on the professional and administrative, health services support, clerical, and building maintenance salary schedules.

D. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same appointing authority are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differentials between employees in the same class of positions or between employees in different classes of positions in the same occupational field, adjustments may be made that will insofar as practicable, maintain differentials, within the limits of the new plan. In maintaining differentials, the appointing authority shall take into consideration the length of service and quality of performance of the employee affected.

E. Collective bargaining agreement. In agencies where there is an exclusive representative and a negotiated salary schedule for employees in the bargaining unit, adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

7 MCAR § 1.2396 Merit increases.

A. Increases by steps. Merit increases from the minimum on the official merit system compensation plan or on any negotiated salary schedule or on any salary schedule filed with the supervisor pursuant to 7 MCAR § 1.2395 B.3. shall be by successive intervening steps of pay for the class, with due consideration for length of service and quality of performance.

B. Eligible employees. In appointing authorities that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

C. Annual review for merit increases. In appointing authorities that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for his or her classification shall be considered at least once each 12-month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. If an increase is not granted, the reasons for the denial of the increase shall be reported, in writing, to the employee and to the merit system supervisor.

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D. Restriction on frequency of increases. In appointing authorities that have adopted a merit increase policy, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed, except that in cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six-month interval may be permitted. In each case, however, the facts upon which the merit increase is based shall be recorded in the official minutes of the local public health authority and reported to the merit system supervisor.

E. Increases based on additional education. In appointing authorities that have adopted a merit increase policy, an extraordinary merit increase within the authority's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

F. Lump sum payments. In appointing authorities that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other eligibility requirements of the authority for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for the relevant classification, the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. Before this provision can be effective, an appointing authority must establish by resolution as its official policy prior to the beginning of the year in which such merit increases are granted that such payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

7 MCAR § 1.2397 Salary decreases.

A. In general. Except as otherwise negotiated by an appointing authority and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 7 MCAR § 1.2541 D.1.

B. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of A.

7 MCAR § 1.2398 Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and that work exceeds 15 consecutive work days in duration, the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within the employee's salary range. If the assignment is to a position in a classification at an equal or lower level, the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is anticipated to be less than six months. Approval of these assignments by the supervisor is required and requests for approval must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment, the employee's salary shall be reduced to its previous level, notwithstanding the provisions of 7 MCAR § 1.2397 A. or 1.2541 D.1.

7 MCAR § 1.242 Examinations; general characteristics.

A. Character Content of examinations. ~~+~~ Examinations for entrance into the public health merit system shall be conducted on an open a competitive basis. Examinations shall be practical in nature, shall be constructed to reveal the capacity of the applicant for the particular position for which he is competing as well as his general background and related knowledge, and shall be rated objectively. ~~A practical written test shall be included, except that when peculiar and exceptional qualifications of a scientific or professional nature are required and competition through an assembled examination is impracticable, an unassembled examination may be held. The Supervisor shall determine when competition through an assembled examination is impracticable. Examinations may also include:~~

a. A competitive performance test for stenographic and typing positions and for any other positions involving the operation of office machines;

b. A rating of training and experience for the more responsible positions, including all professional, technical, supervisory, and administrative positions;

e. An oral examination for positions that require frequent contact with the public, or that involve important supervisory or administrative duties, provided, however, the Supervisor may eliminate the oral examinations for those classes of positions in which it is anticipated that the entire eligible register will be exhausted within a relatively short period The supervisor shall

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determine the content of all examination processes. Examinations may include, but are not limited to, performance tests, written examinations, ratings of experience and training, promotional ratings, and oral examinations.

~~2.~~ B. Weighting of parts. The supervisor shall assign definite weights to each part of the examination prior to its public announcement.

~~3.~~ C. Positions for disadvantaged groups. Recruitment and selection for those positions identified in the minimum qualifications of the class specification as directed toward clients and other disadvantaged groups will be limited to persons of low income ~~and~~ or low educational achievement, including the physically and mentally disabled. It will be the specific responsibility of the individual appointing authorities to effectively make known opportunities for these jobs to such persons. Persons who do not meet these limitations will be disqualified from competition for these positions and notified of the reasons therefor. Examinations for these positions will include at least one of the following: performance test, ~~structured technical~~ oral examination, ~~practical~~ written test, or oral directions test combining aspects of performance and minimum literacy. The supervisor shall assign definite weights to each part of the examination prior to its public announcement. Eligible lists will be established on an area ~~and~~ or county basis only or on the basis of both area and county. Certification of eligibles on an area basis smaller than the county unit may be approved by the supervisor. Since these positions cover a broad range of duties requiring many different abilities, knowledges, and basic skills, notwithstanding other provisions of the rules, the supervisor also may approve selective certification of eligibles who possess a particular ability, knowledge ~~and~~ or skill or a combination of these attributes.

~~D.~~ 7 MCAR § 1.2421 Notice of examinations. ~~The supervisor shall give public announcement of~~ announce all examinations for original entrance into the public health merit system at least ~~three~~ two weeks in advance of the closing date for receipt of applications, and ~~he~~ shall make every reasonable effort to attract qualified persons to compete in these examinations. Notice of examinations shall be posted in important centers throughout the state, and copies shall be distributed among ~~local Public Health Offices and Boards of County Commissioners~~ appointing authorities throughout the state, newspapers, public officials, educational institutions, professional and vocational societies, and such other organizations and individuals as the supervisor may deem expedient. Public announcements of examinations shall specify the title and salary ranges of the classes of positions, ~~with beginning salary~~; the duties to be performed, the minimum qualifications required, the final date on which applications will be received, and all other conditions of competition, including the relative weight assigned to the various parts of the examination ~~and the fact that failure in one part of the examination will disqualify an applicant~~.

~~E.~~ 7 MCAR § 1.2422 Conduct of examinations.

~~1.~~ A. Place; monitors. Written tests shall be conducted simultaneously in as many places as are necessary for the convenience of the applicants and as are practicable for proper administration. The supervisor may designate such monitors as may be necessary to conduct examinations under instructions prescribed by him and may also arrange for the use of public buildings in which to conduct the examinations. The supervisor shall provide for the compensation of monitors in accordance with the approved budget for the purpose.

~~2.~~ The identity of persons taking competitive assembled examinations shall not be disclosed to the examiners. An identification number, which shall be used to identify all papers of each applicant, shall be assigned by the Supervisor to each applicant. Any examination papers bearing the name of the applicant or identification other than an identification number shall be rejected. In a case of rejection the Supervisor shall promptly notify the applicant.

B. Refusal to score. The supervisor may refuse to score the examination of an applicant who copies another applicant's examination paper, or who falsifies his or her identity to gain admittance to the examination, or who otherwise meets the criteria for disqualification as provided in 7 MCAR § 1.241 B.1.

~~F.~~ 7 MCAR § 1.2423 Rating examinations.

~~1.~~ A. Determination of score. The supervisor shall determine a final score for each applicant's examination, computed in accordance with the weights for the several parts established by the supervisor as set forth in the announcement. Failure in any part of an examination ~~shall may~~ disqualify the applicant in the entire examination ~~and shall disqualify him from participation in subsequent parts of the examination~~. All applicants for the same position shall be accorded uniform and equal treatment in all phases of the examination procedure.

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~~2-~~ B. Determination of passing point. The supervisor shall utilize appropriate scientific techniques and procedures in rating the results of examinations and in determining the final scores of the applicants. ~~In determining the system for rating results of the examinations, the Supervisor and the Council shall give~~ The supervisor shall establish reasonable passing points for all examinations, giving due regard to the number of applicants and to the number of vacancies that may reasonably be expected to occur during the life of the register.

~~7-~~ 7 MCAR § 1.2424 Rating training and experience.

~~1-~~ When training and experience form a part of the total examination, the supervisor shall determine a procedure for the evaluation of the training and experience qualifications of the various applicants. The formula used in appraisal shall give due regard to recency and quality, as well as quantity, of experience and to the pertinency of the training. This procedure shall allow for the substitution of training for experience, and experience for training, within the limits stated in the class specifications.

~~2-~~ The Supervisor will investigate an applicant's training and experience to verify the statement contained in his application form and to obtain evidence about his character and fitness either before rating his training and experience or after giving an initial rating but before certification from the register. If this investigation produces information affecting a rating of training and experience already given, the Supervisor shall rerate the applicant's record accordingly and shall make the necessary adjustment on the register. He shall also promptly notify the applicant of any such rerating.

~~7-~~ 7 MCAR § 1.2425 Oral examinations.

~~1-~~ When an oral interview or oral test examination forms a part of a total examination for a class of positions, the supervisor shall ~~appoint~~ select one or more oral examination boards as needed. An oral examination board shall consist of two or more members who shall be known to be interested in the improvement of public ~~administered~~ administration and in the selection of efficient government personnel and at least one of whom shall be technically familiar with the character of work in the position for which the applicant will be examined. Any person holding political office or any officer or committee member of any political organization, or any person actively engaged in the work of any political organization, shall not serve as a member of any such board. If practicable, all applicants qualifying for the oral examination for the same class of positions shall be rated by the same oral examination board. A member of any oral examination board shall disclose each instance in which he knows the applicant personally and ~~shall not rate such~~, in those instances, the supervisor shall determine whether that member shall rate that applicant.

~~6-~~ 7 MCAR § 1.2426 Notice of examination results.

~~1-~~ Each applicant passing all parts of the examination shall be notified by mail by the supervisor of his final rating as soon as the rating of the examination has been completed and the register established. An eligible, upon request and presentation of proper identification, shall be entitled to information about his relative position on a register. An applicant who fails any part of the examination or the total examination shall be promptly notified of his failure.

~~H-~~ Special Written Tests

~~1-~~ No applicant shall be given a special written test unless the Council by formal and recorded action finds that the applicant's failure to take or complete the original written test was due to an obvious error in connection with the administration of the examination for which the Supervisor or one of his assistants was responsible. The Council's findings and decision shall be recorded in its minutes. No claim for a special written test shall be allowed unless it is filed in writing with the Council within ten days after the date the original written test was held. Any special written test shall be constructed on a pattern similar to the original written test.

~~7-~~ 7 MCAR § 1.2427 Examination records.

~~1-~~ The supervisor shall be responsible for the maintenance of all examination records ~~pertinent to the Public Health Merit System examinations~~. Applications and other necessary examination records shall be kept during the life of the register. Examination records of appointees shall be kept permanently, but examination records of applicants not appointed may be destroyed 30 days after the register expires.

~~7-~~ 7 MCAR § 1.244 Certification of Eligibles.

~~A-~~ Methods for filling vacancies.

~~1-~~ Vacancies in the classified service shall be filled by reemployment, original appointment, promotion, transfer, demotion, or reinstatement.

~~B-~~ 7 MCAR § 1.2441 Requisition for certification of certain individuals.

~~1-~~ If a vacancy in any position under a local Public Health agency an appointing authority is to be filled other than by reinstatement, noncompetitive ~~promotion~~ examination, transfer, or demotion, and a new employee is needed, a requisition shall be submitted by the appointing authority to the supervisor. ~~This~~ The requisition shall state the number of positions to be filled in

each class together with the class title and other appropriate information. In addition, desirable special qualifications for the particular position under consideration may be indicated. In requesting the certification of individuals with special qualifications, the appointing authority shall state in the request the reasons for the special qualification requested. Eligibles shall be certified in strict order of standing on the register, except in a case in which the supervisor, ~~with the approval of the Council, after conference with the appointing authority,~~ has determined there is reason for a certification of an eligible with special qualifications. Requests for certification of certain individuals with special qualifications approved by the supervisor shall be reported to the council at its next scheduled meeting.

~~6-~~ 7 MCAR § 1.2442 Certification methods.

~~1-~~ A. Entrance register. ~~Upon receipt of~~ After receiving a requisition, the supervisor shall certify the names of available eligibles. If one position is involved, he shall certify the seven highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified, from the open-competitive entrance register established for the class of positions. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

~~2-~~ B. Promotional register. The supervisor may also certify the three highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the third name certified, from the appropriate promotional register ~~and reemployment register if such registers exist~~ register exists and are is requested. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

~~3-~~ C. Multiple vacancies. If more than one vacancy exists, the supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified on a competitive certification or as that of the third person certified on a promotional certification. Supplementary certifications will be issued only in instances in which it is found that there are less than seven available candidates on the competitive certification or three available candidates on the promotional certification.

~~4-~~ D. Selection for appointment. The appointing authority may select for appointment anyone among the certified candidates who are eligible for appointment.

~~5-~~ E. Inadequate registers. When the number of names available for filling any vacancy by original appointment, promotion, or reinstatement is fewer than seven on a competitive certification or three on a promotional certification, and there are fewer than three different names on all registers combined, the appointing authority may decline certification for that vacancy and may request certification from a register, or registers, that the supervisor deems appropriate.

~~6-~~ F. Provisional appointments. If there is no register that the supervisor deems appropriate, then the vacancy may be filled provisionally as provided for in 7 MCAR § 1.245 B.1.

~~7-~~ 7 MCAR § 1.2443 County-option certification.

~~1-~~ A. Request for list of eligibles. The appointing authority may request from the supervisor names of eligibles from either the state-wide original entrance register or from a sub-register for the county, a restricted area, or a district of the state, as set forth in 7 MCAR § 1.243 A.5. The supervisor, upon ~~receipt of~~ receiving such requisition, shall certify the names of eligibles from the register as requested.

~~2-~~ B. State-wide certification. If an appointing authority requests a certification of eligibles from a sub-register established for a specific locality but there are insufficient eligibles thereon, certification shall be made on a state-wide basis.

7 MCAR § 1.246 Probationary period.

A. Purpose.

~~1-~~ The probationary period is an essential part of the examination process and shall be used to closely observe the

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employee's work, to obtain the most effective adjustment of a new employee to the obligations of the position, and to remove any employee whose performance does not meet the required standard of work.

B. When required.

1. A person employed by a ~~local Public Health agency~~ an appointing authority in any of the following ways shall serve a probationary period:

a. 1. Appointment from an eligible register other than the layoff list;

b. 2. Reinstatement of a former probationary employee or of a former permanent employee in an agency other than the last employing agency;

c. 3. Transfer of an employee between ~~local Public Health agencies~~ authorities except when specifically waived (in writing, to the supervisor) by the new employing ~~agency~~ authority prior to the date on which the transfer of a permanent employee becomes effective; or

d. 4. Transfer or reinstatement to a position on the basis of eligibility from a comparable position in a similar merit system jurisdiction.

2. C. Probation as condition of employment. An appointing authority may effect a probationary period in an employment action in which such period is not required as specified ~~above~~ in B. by writing this condition of appointment on the appointment report submitted to the supervisor. In no case, however, may a probationary period be required of a permanent employee who is appointed from the layoff list.

~~C.~~ D. Duration of probationary period.

1. The probationary period shall consist of the equivalent of the first full six months of ~~actual~~ compensated service following the date of the appointment action requiring such period, except as provided in ~~the following section E.~~ Unpaid leave of ten or fewer work days during the probationary period does not affect the duration of the period.

~~D.~~ E. Extension of probationary period.

1. The probationary period shall consist of ~~the~~ the equivalent of the first full six months of ~~actual~~ compensated service following the date of the appointment action requiring such period, except as provided in ~~the following section E.~~ Unpaid leave of ten or fewer work days during the probationary period does not affect the duration of the period.

~~D.~~ E. Extension of probationary period.

1. In rare or unusual circumstances or conditions that prevent the making of a full and fair determination as a basis for granting permanent status or separating the employee from the service, a ~~three months~~ an extension of the probationary period for up to three months may be granted. Initiation of a request to the supervisor for extension must occur on or before the beginning of the sixth month of the probationary period and shall specify the reasons why the extension is required in this instance necessary. A current evaluation of the employee's performance shall accompany the request. A copy of the request for extension and the evaluation shall be provided to the probationary employee by the appointing authority.

2. ~~The Supervisor shall make such investigation as he deems necessary to ascertain the validity of the request and assess the best interests of the service and of the probationary employee.~~ The supervisor's decision on the request shall be given to the agency and the employee at least ten days in advance of the end of the ~~six months~~ initial probationary period.

3. Each formal request for extension of the probationary period and the ~~determination~~ decision on the request shall be reported to the council at its next meeting.

~~E.~~ F. Promotion during probation.

1. An employee serving a probationary period may be promoted to a position in a higher class, ~~provided that his name is certified in accordance with these rules from an eligible register established as a result of a competitive examination process.~~ An employee who is promoted begins a probationary period in the higher classification as of the date of that appointment.

2. A probationary employee who is promoted to a position in a higher class in the same occupational field ~~may~~ shall complete his probationary period in the lower class by service in the higher position.

~~F.~~ G. Transfer during probation.

1. A probationary employee may be transferred from a position ~~in~~ under one ~~local Public Health agency~~ appointing authority to a position in the same class ~~in~~ under another ~~local Public Health agency~~ appointing authority if the employee was not appointed from a certification from a county ~~area sub-register of the state-wide register.~~

~~G.~~ H. Demotion during probation.

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~~1-~~ A probationary employee who is demoted to a class of positions in the same occupational field shall have included as part of the probationary period in the lower class his period of service in the higher class unless the appointing authority writes on the report of the demotion to the merit system that a complete new probationary period is required in the lower class.

~~H-~~ I. Removal during probation.

~~1-~~ A probationary employee may be dismissed by an appointing authority without the right to an appeal or hearing except as may otherwise be provided by law. The employee shall be given written notification of ~~his~~ dismissal, including the reasons for dismissal, at least five days in advance of the date on which the dismissal becomes effective. The appointing authority shall submit to the Supervisor a written report of the reasons for the dismissal. A copy of the notification shall also be submitted to the supervisor.

~~2-~~ A probationary employee who has permanent status in another class in the same agency and who is not granted permanent status in the new classification shall be restored to a position in the class from which he was promoted as his seniority permits or in a comparable class as these rules permit, unless the failure to grant permanent status was due to the misconduct of the employee.

~~3-~~ When there is no position to which the employee can be restored, because of abolishment of jobs or lack of seniority, the provisions of 7 MCAR § 1.249 D. apply.

~~I-~~ J. Completion of probationary period.

~~1-~~ The appointing authority shall submit written notice of the satisfactory completion of the probationary period to the employee and to the supervisor at least ten days in advance of the expiration of the probationary period. A rating or appraisal of the employee's performance shall accompany the notice. The employee shall then be granted permanent status in ~~his~~ the position the day following the last day of ~~his probation~~ the probationary period.

~~2-~~ K. Violation of rules; penalty. If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in ~~these rules~~ A.-J., a probationary employee who is not certified permanent in accordance with 7 MCAR § ~~1.246~~ 1.1- J. and is not removed or demoted but is continued in employment beyond the full ~~six months~~ six-month period shall obtain permanent status in the position by the default of the ~~agency~~ appointing authority. The payment of salary beyond the ~~six months~~ six-month probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

~~3-~~ L. Reports of violations. Each instance in which permanent status is granted to an employee in accordance with ~~the provisions of 7 MCAR § 1.246~~ 1.2- K. shall be reported to ~~the Secretary and Executive Officer and~~ the council. The council may recommend and the ~~Secretary and Executive Officer~~ commissioner may take appropriate action to insure that the purpose and intent of the probationary period shall be given effect in the ~~agency~~ appointing authority in all future appointments.

7 MCAR § 1.249 Separation, tenure and reinstatement.

A. 1.-2. [Unchanged.]

B. Dismissals.

1. [Unchanged.]

2. No employee who has permanent status shall be dismissed from ~~his a~~ position except for just cause. Before the action is taken, a permanent employee shall be furnished with a statement, in writing, setting forth reasons for the dismissal. He shall be permitted five days time to reply thereto, in writing, or, upon request, to appear personally and reply to the appointing authority. A copy of the statement and the employee's reply, if any, shall be filed with the supervisor prior to the effective date of the dismissal. Any such employee who is dismissed may demand a hearing before the merit system council in the manner prescribed by 7 MCAR § ~~1.254 E.2.~~ (See 7 MCAR § ~~1.254 E.4.~~ for dismissal procedure for veterans.) 1.2541 D.

3. [Unchanged.]

C. Suspension.

~~1-~~ The appointing authority may, after written notice, suspend any employee without pay for ~~delinquency or misconduct~~ just cause for a period not to exceed 30 calendar days in any one calendar year. Suspensions of five or fewer

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consecutive working days or ten or fewer working days in a calendar year are not appealable to the council under the provisions of 7 MCAR § 1.2541 D.1.

D. 1.-8. [Unchanged.]

E. 1. [Unchanged.]

F. Reinstatement to Previous Class of Positions of former permanent employee.

‡ Upon written request of an appointing authority to and with the approval of the supervisor, an employee who has successfully passed a merit examination and has acquired permanent status in a class ~~under these rules~~ may be reinstated to a position in the same class in the public health merit system at any time within two years after the date of his resignation in good standing. Under the same conditions a reinstatement may be made within a period of time, not to exceed five years, equivalent to the continuous period of the employee's service since January 1, 1971, in a local public health agency. Reinstatement shall be without benefit of previously acquired seniority. Upon approval of the supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy ~~on the local public health agency staff~~.

G. Reinstatement of Probationer former probationary employee.

‡ Upon written request of an appointing authority and with the approval of the ~~Merit System~~ supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class ~~previously held in the Public Health Merit System~~ at any time within a year after the date ~~on which his~~ of resignation ~~became effective~~.

H.1. [Unchanged.]

I.1. [Unchanged.]

7 MCAR § 1.250 Leaves of absence.

A. ~~In General~~ Applicability of minimum standards.

‡ Leave policies stated in ~~this subdivision B.-H.~~ are minimum standards and shall apply to all employees except when otherwise negotiated by the appointing authority with an exclusive representative. At the discretion of the ~~board~~ appointing authority, ~~such~~ negotiated benefits may be applied to all employees of the agency.

~~2-~~ Beyond the minimum standards listed in ~~subdivision B.-H.~~ the appointing authority may adopt an optional leave of absence policy to the extent allowed in ~~subdivision C. 1.~~

~~3-~~ Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in ~~subdivision B.-H.~~ shall file a copy with the supervisor.

B. Minimum Policy

‡ Jury or witness duty.

~~a-~~ 1. After notice to the appointing authority, any employee under the merit system shall be granted leave with pay for: service upon a jury or for appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.

~~b-~~ 2. At the option of the appointing authority the employee may be required to turn over to the agency any per diem payment received as a result of serving on a jury or as a witness in the ~~above listed~~ actions listed in 1. ~~Moneys~~ Moneys received as expenses shall be kept by the employee.

~~c-~~ 3. Any absence, whether voluntary or in a response to a legal order to appear and testify in private litigation, not as an employee of the county agency but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

~~2-~~ C. Leaves of absence without pay.

~~a-~~ 1. Any person holding a permanent or probationary position in the classified service of the Minnesota merit system shall be granted a leave of absence without pay on the grounds of sickness or disability and may be granted a leave of absence without pay for other good or sufficient reasons, provided that no such leave shall exceed one year. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities ~~and~~. The women so affected shall be treated the same as other persons who are not so affected; but who are similar in their ability or inability to work. The appointing authority shall establish the proof required of the existence of sickness or disability and the continuance thereof during ~~said~~ the one-year period. The appointing authority may require that the employee produce medical certification of fitness for work from a registered practicing physician ~~that he/she is fit for work~~ before returning the employee to the job.

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2. Any employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to the same position if ~~such~~ the leave is for 60 calendar days or ~~less~~ fewer. An employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to a position in the same class at the expiration of leave, except that when all the positions in the class previously held by ~~such~~ the employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 7 MCAR § 1.249 D.5. If all the positions in the class are filled, the least senior employee in the class shall vacate his/ or her position subject to any eligibility for layoff, transfer, or demotion that ~~he/she~~ he may have been acquired ~~under these rules~~. An employee on leave of absence, with the approval of the appointing authority and the supervisor, may be reinstated to his/ or her class before the expiration of the leave in the same manner. Upon certification by ~~the~~ a registered practicing physician, the employee who is physically or mentally capable of returning to work must comply within ten working days or face termination. If such an employee ~~within the specified days~~ cannot return to work within the specified days, ~~he/she~~ the employee must notify the appointing authority and request an approval for a leave of absence.

3- D. Vacation leave.

~~a- 1.~~ 1. Upon the completion of six full months of satisfactory service in the merit system, vacation leave shall accrue to ~~the~~ a permanent, probationary, or trainee employee for the time served at the rate of one working day for each full month of service. No vacation leave shall be accrued or granted during the first six months of service in the merit system; but upon satisfactory completion of ~~such~~ that period, vacation leave shall accrue to ~~the~~ a permanent, probationary, or trainee employee for the time served. Limited term and provisional employees with less than six full months of service and emergency employees shall not accrue vacation leave. Provisional employees with more than six months of service shall accrue vacation leave. Unused vacation leave shall accumulate to a total of at least 24 working days. The agency shall determine the time at which vacation leave may be taken. Vacation leave may not be used before completion of the period in which it is accrued. Part-time employees shall accrue vacation leave on a prorated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

~~b- 2.~~ 2. Vacation leave shall not ~~accumulate~~ accrue to an employee while in a non-pay status, except to ~~employees an~~ employee on military leave.

~~e- 3.~~ 3. A permanent employee who is transferred or promoted from one agency to another shall be paid by the former agency for the number of working days of accrued but unused vacation leave accumulated to his credit unless the new agency, upon request of the employee, agrees to accept all or a portion of the employee's accrued but unused vacation leave.

~~d- 4.~~ 4. Any permanent, probationary, provisional, or trainee employee with six full months of satisfactory service in the merit system who is separated by layoff, resignation, death, or otherwise, shall be paid for the number of working days of unused vacation leave accumulated to his/her credit accrued.

4- E. Sick leave.

~~a- 1.~~ 1. Every permanent, probationary, provisional, and limited-term employee shall ~~earn~~ accrue sick leave at the rate of one working day for each completed month of service, and such accrued sick leave may be used under the conditions ~~hereinafter~~ prescribed in 2.-10.

2. Absence necessitated by employee's inability to perform the duties of his/ or her position by reason of illness or injury, by reason of pre-natal and post-natal care, by necessity for medical or dental care, by exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance on duty, or by illness in the employee's immediate family, for such period as shall be necessary. The term "immediate family" shall be limited to the spouse, minor children, or parents when the parent has no other person to provide the necessary nursing care, living in the household of the employee. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or ~~his/her~~ the employee's spouse.

~~b- 3.~~ 3. Unused sick leave shall accumulate to a total of at least 100 working days.

~~e- 4.~~ 4. Sick leave with pay shall not ~~be granted~~ accrue to emergency, hourly, or per diem employees.

~~d- 5.~~ 5. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.

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~~e.~~ 6. Sick leave during vacation leave: When sickness occurs within a period of vacation leave, the period of illness may, on presentation of a report from a registered practicing physician, be charged as sick leave and the charge against vacation leave reduced accordingly.

~~f.~~ 7. The appointing authority may require the employee to produce medical certification from a registered practicing physician attesting to the need for sick leave and/or attesting that the employee is fit to return to work.

~~g.~~ 8. A former merit system employee who is reinstated or reemployed in accordance with merit system rules, except as a provisional or emergency appointee, may have his/her previous previously accumulated and unused balance of sick leave revived and placed to his/her credit recredited upon approval of the new appointing authority.

9. A permanent or probationary employee who is transferred or promoted from one appointing authority to another may be granted credit in the new agency for all or a portion of previously accrued but unused sick leave at the discretion of the new appointing authority.

10. Sick leave may not be used prior to completion of the period in which it is accrued. Part-time employees shall accrue sick leave on a prorated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

~~5.~~ F. Military leave.

~~a.~~ Employees who are in service in the armed forces of the state or the United States shall be entitled to leave of absence as provided for by Minnesota Statutes, Section Minn. Stat. § 192.261.

~~6.~~ G. Record of leaves.

~~a.~~ Each appointing authority shall maintain a record of leaves with pay granted to employees.

~~7.~~ H. Holidays.

~~a.~~ 1. Full-time permanent, probationary, provisional, and limited-term employees whose normally scheduled work day falls on a holiday listed below shall receive time off with pay for that day. Compensatory time off shall be allowed for work done on these days except when payment is received. Emergency employees are not eligible for holiday pay. Employees who work less than full time and who are eligible for holiday pay shall receive such pay equivalent to the number of hours they normally would have been scheduled to work on that day if it had not been a holiday. The following are holidays:

- a. New Year's Day, January 1;
- b. Lincoln's and Washington's Birthday, the third Monday in February;
- c. Memorial Day, the last Monday in May;
- d. Independence Day, July 4;
- e. Labor Day, the first Monday in September;
- f. Veteran's Day, November 11;
- g. Thanksgiving Day, the fourth Thursday in November; and
- h. Christmas Day, December 25.

2. Appointing authorities may designate one or both of the following as holidays:

- a. Christopher Columbus Day, the second Monday in October; and
- b. Friday after Thanksgiving.

~~b.~~ 3. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a holiday. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Saturday the preceding Friday shall be a holiday.

4. Holidays which occur within the employee's vacation or sick leave period shall not be charged to the employee's vacation or sick leave time.

5. Employees must be on the payroll on the work day immediately preceding and the work day immediately following a holiday to be eligible for the holiday. For the purpose of determining eligibility for holiday pay, "on the payroll" shall mean those who are in pay status.

6. Employees who work less than full-time and intermittent employees shall be compensated for holidays on a prorated basis in accordance with a schedule approved by the supervisor.

~~6.~~ I. Optional policy.

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1. Beyond the minimum standards listed ~~above~~ in B.-H., the appointing authority may adopt an optional leave of absence policy. The adoption of such a policy shall only be to increase the availability and use of leave of absences to employees.

2. ~~Funeral Leave.~~

~~a-~~ Funeral leave, exclusive of sick leave or vacation leave, may be granted. Each appointing authority shall prepare written regulations governing such leave.

~~b-~~ Funeral leave may be authorized in cases of death of the spouse, children, and wards and the brothers, sisters, parents, or grandparents of either the employee or ~~his/her~~ the employee's spouse.

3. Additional holidays may be designated, with or without pay, to conform with the county-wide policy.

4. ~~Educational Leave~~

~~a-~~ Educational leave, with or without pay, may be granted for a period not to exceed two years to any permanent or probationary employee. Such leave shall be for work-related programs which are in the best interest of the agency and consistent with the agency's training and staff development plan. Such leave shall otherwise be subject to ~~7 MCAR § 1.250 A.3-~~ the filing requirement of A. The appointing authority may allow the employee to continue to accrue eligibility for ~~incentive merit increases, as in 7 MCAR § 1.260 D.2-~~ 1.2396, and such salary increase may be granted at the same time the increase would have been granted, but for the leave of absence. Educational leave with pay shall be approved by the supervisor prior to authorization.

7 MCAR § 1.2541 Appeals and hearings.

A. General provisions.

1. The council or appeal board or referee appointed by the council shall hear all appeals under this rule.

2. A written notice of appeal, specifying the reason or reasons for the appeal, must be submitted to the supervisor within 30 days of the action appealed or within 30 days of the date notification of the action was mailed to the affected party, whichever is later.

3. Except for appeals under 7 MCAR § 1.254 D., the supervisor shall reply to the appeal, interpreting the merit system rules and applicable law relative to the issues in the appeal. All affected parties will receive copies of the response.

4. Any affected party who is dissatisfied with the supervisor's resolution may appeal that resolution and the appeal will be placed on the agenda of the next council meeting.

5. Any permanent employee under a collective bargaining agreement who appeals a dismissal, suspension, or a reduction in pay or position under the provisions of a grievance procedure in the agreement may not subsequently appeal the same action to the council.

6. All decisions shall be given within a reasonable time following the hearing and shall be in writing. Copies shall be sent to all parties involved and the merit system supervisor when final decisions are made by the appointing authority.

B. Appeals from selection and appointment procedures.

1. Any applicant may appeal a rejection of his or her application based on qualifications or removal from a register for reasons specified in 7 MCAR § 1.243 D. The council shall review the reasonableness of such rejection or removal.

2. Any applicant who has taken an examination may appeal for review of the rating procedures in any part of the examination. The council shall review the rating procedures to see that they have been applied equally and fairly to all applicants.

3. Decisions of the council regarding appeals under 1. and 2. shall be final.

4. Admission to an examination, restoration to a register or correction of an examination rating resulting from an appeal shall not affect a certification or appointment that may have already been made.

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PROPOSED RULES

C. Appeal from allocation. Any employee or appointing authority may appeal the allocation of a position. The council shall review all facts relating to the allocation and make a recommendation to the commissioner. The commissioner's decision shall be final.

D. Appeal from dismissal, suspension, or demotion.

1. Any permanent employee who has not appealed such action under the provisions of a grievance procedure contained in a collective bargaining agreement may appeal any dismissal, suspension of more than five consecutive working days or ten working days in a calendar year, or reduction in pay or position to the council. The council shall review the action for compliance with the procedural requirements of 7 MCAR § 1.249 B.2. and for whether the action was taken for just cause.

2. The hearing shall be held within 30 days after the supervisor receives the appeal.

3. After the hearing, the council shall make a recommendation to the appointing authority. Within 30 days of receiving the recommendation, the appointing authority shall make the final decision.

4. Any veteran covered under the provisions of Minn. Stat. § 197.46 shall not be removed except for incompetency or misconduct shown after a hearing upon due notice including written stated charges.

E. Appeal from denial of merit increase.

1. Any permanent employee of an appointing authority with an established policy of granting merit increases who has not received a merit increase for a 12-month period and who is denied a merit increase may appeal the denial if the reasons given for the denial do not reflect on the merit of the employee's performance. The council shall initially determine whether or not such reasons are given. If so, the appeal shall be denied. If not, the council shall take testimony regarding the performance of the employee. Both the appointing authority and the employee shall have the right to present witnesses and give evidence.

2. The council shall recommend the appointing authority either grant or deny the merit increase. The appointing authority shall make the final decision.

F. Other appeals. Any employee or appointing authority affected by action taken in the administration of 7 MCAR §§ 1.235-1.263 may appeal the action. The council shall review the actions for compliance with the rules of the Minnesota merit system and applicable law and shall recommend to the commissioner remedial action which is warranted. The commissioner's action shall be final.

7 MCAR § 1.261 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods.

± The length of pay periods is at the discretion of the appointing authority and/or may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 7 MCAR §§ 1.314 and 7 MCAR § 1.315 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of 7 MCAR § ~~1.260 B.1.e~~ 1.2395 B.3. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. Such time may be paid on an hourly, working-day or proportion of a month basis. The agencies using 7 MCAR § 1.314 shall use the table prepared in accordance with 7 MCAR § 1.315 in computing such payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 7 MCAR § 1.314 under the provisions of 7 MCAR § ~~1.261 B.1.~~ ~~above~~ or those agencies operating under the provisions of 7 MCAR § ~~1.260 B.1.e~~ 1.2395 B.3. shall file within ten days after the signing of the contract such schedules with the supervisor. Attached, thereto, shall be a table similar in format, computation, and information to the table provided for in 7 MCAR § 1.315. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if such payment is made on other than a monthly basis.

C. Payment for less than a full payroll period.

± The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of ~~hours/days~~ hours and days the employee worked in the payroll period. Agencies shall use the table provided for in 7 MCAR § 1.315 in computing this salary. Those agencies with an exclusive representative who have negotiated different

salary schedules and those agencies operating under the provisions of 7 MCAR § 1.260 B.1.c. shall use their table prepared in accordance with 7 MCAR § 1.315 in computing this salary.

D. Part payment from another source.

✚ When part of the compensation of a local public health employee regularly is paid from another source, such as federal, state, city or county governmental departments, or from a different fund or account outside the control of the local public health authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation and/or sick leave upon separation.

1. An employee, who has permanent status in a local public health agency in some class, and who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 7 MCAR § 1.250 ~~C. D.4.~~, on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 7 MCAR § 1.315. This is illustrated by the following examples:

An employee who earns \$844 a month and is paid \$388 on a bi-weekly payroll (\$38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of \$38.80 × 19 days (8 regular working days plus 11 days of vacation) = \$737.20.

An employee who earns \$844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rate of \$38.36 (for 22 day month) × 19 days (8 regular working days plus 11 days of vacation) = \$727.70.

2. The amount of vacation pay due shall be added to the salary earned by the employee for time worked in the ~~part~~ last pay period of ~~his/her~~ employment and made in the form of a single lump sum payment.

3. Compensation for sick leave payment, in cases where ~~such~~ payment is made on termination, shall be in the same manner as for vacation leave under 7 MCAR § ~~1.261 E. 2.~~

F. Overtime compensation.

✚ Except for the provisions of the Minnesota Fair Labor Standards Act, no additional compensation shall be paid for overtime, whether in the discharge of duties of the position or for the duties of another position, except in: ~~(1)~~ (1) an emergency in which the local public health authority orders such overtime; or ~~(2)~~ (2) when such overtime is otherwise approved in advance by the local public health authority or its designee; or ~~(3)~~ (3) as may be otherwise negotiated. Rates of pay for this overtime work shall be decided by the local public health authority and it shall be discretionary with the local public health authority whether the employee shall have compensatory time off or overtime pay, except as provided in the Minnesota Fair Labor Standards Act ~~and/or~~ as modified through contractual agreement in those agencies where employees have an exclusive representative. When payment is made for overtime, the rate and the number of hours worked shall be shown in the "Remarks" column on the payroll report.

7 MCAR § 1.262 Appointment, promotions, demotions, transfers and reinstatements.

A. Appointment.

1. The entrance salary for any new employee ~~(whether an original appointment, provisional appointment, or emergency appointment)~~, shall be at the minimum salary for the class of positions to which ~~he~~ the employee is appointed, except when appointments are permitted above the minimum in accordance with 7 MCAR § ~~1.239 E. 1.2394.~~

2. An employee who is provisionally employed at a rate of pay higher than the minimum of ~~the rate range~~ the rate range prescribed for ~~the class~~ shall not be reduced in pay at the time of appointment from a register to the class ~~in which he is serving.~~

B. Promotions.

1. ~~An employee~~ Employees who ~~is~~ are promoted shall have ~~his salary~~ their salaries raised to the minimum rate of pay for the new class. If ~~his salary~~ their salaries before promotion ~~falls fall~~ fall within the range of the new class but not on any step within that range, the ~~salary~~ salaries shall be adjusted to the ~~nearest next~~ nearest next higher step.

2. ~~An employee~~ Employees granted a salary increase after having been promoted may be permitted to retain that increase when returned to a lower class, ~~provided that the~~ if their salary paid does not exceed the maximum ~~of salary~~ salary for the lower class.

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PROPOSED RULES

C. Demotions. ~~+~~ An employee who is demoted except by reason of 7 MCAR § 1.238 D. shall have his salary reduced to at least the maximum rate of the new class. If the salary is within the range for the new class, he may receive the same rate. An employee who continues in the same position and who is demoted under 7 MCAR § 1.238 D. because of the downward reallocation of his position may continue to be paid at the former salary rate as long as he retains the same position without further increase except as may subsequently be provided in the new classification. An employee who is demoted except in accordance with 7 MCAR § 1.238 D. and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class, the same salary may be continued. An employee whose position is reclassified downward in accordance with 7 MCAR § 1.238 D. and remains in the same position may retain the former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers.

~~+~~ An employee who is transferred may be paid the same salary that he received prior to transfer. His salary may be raised within the range for the class to which he is transferred, but it shall not be lowered. If an employee's salary prior to transfer falls within the salary range of the class to which the employee is transferring, but is not on a salary step in that range, the employee's salary may be increased to the next higher step in the range. It shall not be decreased.

E. Reinstatements.

~~+~~ A former employee who is reinstated or re-employed may be paid the same salary rate that he last received in the same class of position if it coincides with a step in the current salary range for the class, or if it does not coincide, at the nearest next higher step.

7 MCAR § 1.314 Compensation plan (Public Health)—1981-1982. The tables in A.-D. list salary steps in monthly salary amounts for the specified classes of positions.

A. Professional and administrative.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421
Asst. Dir. of Pub. Hlth. Nurs.	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213
Business Administrator	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213
Business Supervisor	1052 1136	1099 1187	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620
Dir. of Envir. Health	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532	2449 2645	2565 2770
Dir. of Pub. Hlth. Nurs. I	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213
Dir. of Pub. Hlth. Nurs. II	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421
Home Care Coordinator	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	
Medical Technologist	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620		
Public Health Educator I	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	
Public Health Educator II	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	
Public Health Nurse	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696		
Public Health Nurse (Team Leader)	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777		

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Public Health Nutritionist	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1099 1241	1149 1299	1203 1358	1257 1420	1315 1485	1375 1549			
Sanitarian I	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485				
Sanitarian II	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	
Sanitarian III	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117
Sanitarian IV	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316
School Health Coordinator	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	
Senior Public Health Nurse	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854		

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532
Asst. Dir. of Pub. Hlth. Nurs.	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316
Business Administrator	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316
Business Supervisor	1099 1187	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696
Dir. of Envir. Health	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532	2449 2645	2565 2770	2682 2897
Dir. of Pub. Hlth. Nurs. I	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316
Dir. of Pub. Hlth. Nurs. II	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532
Home Care Coordinator	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	
Medical Technologist	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696		
Public Health Educator I	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	
Public Health Educator II	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	
Public Health Nurse	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777		

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Public Health Nurse (Team Leader)	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854		
Public Health Nutritionist	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1149 1299	1203 1358	1257 1420	1315 1485	1375 1549	1434 1620			
Sanitarian I	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549				
Sanitarian II	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	
Sanitarian III	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213
Sanitarian IV	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421
School Health Coordinator	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	
Senior Public Health Nurse	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939		

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Asst. Dir. of Envir. Health	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532	2449 2645
Asst. Dir. of Pub. Hlth. Nurs.	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421
Business Administrator	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421
Business Supervisor	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777
Dir. of Envir. Health	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532	2449 2645	2565 2770	2682 2897	2804 3028
Dir. of Pub. Hlth. Nurs. I	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421
Dir. of Pub. Hlth. Nurs. II	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532	2449 2645
Home Care Coordinator	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	
Medical Technologist	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777		
Public Health Educator I	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	
Public Health Educator II	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	
Public Health Nurse	1344 1452	1404 1516	1466 1583	1533 1656	1606 1734	1680 1814	1754 1894		
Public Health Nurse (Team Leader)	1404 1516	1466 1583	1533 1656	1606 1734	1680 1814	1754 1894	1835 1982		
Public Health Nutritionist	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	

PROPOSED RULES

Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1229 1387	1284 1452	1344 1516	1404 1583	1466 1656	1533 1734			
Sanitarian I	1257 1358	1315 1420	1375 1485	1434 1549	1500 1620				
Sanitarian II	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	
Sanitarian III	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316
Sanitarian IV	1645 1777	1717 1854	1795 1939	1876 2026	1960 2117	2049 2213	2144 2316	2242 2421	2344 2532
School Health Coordinator	1315 1420	1375 1485	1434 1549	1500 1620	1570 1696	1645 1777	1717 1854	1795 1939	
Senior Public Health Nurse	1466 1583	1533 1656	1606 1734	1680 1814	1754 1894	1835 1982	1915 2068		

B. Health services support personnel.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	821 887	860 929	901 973	942 1017	984 1063	1027 1109	1075 1161		
Bookkeeper	860 929	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	1229 1327
Home Health Aide	632 712	659 741	686 777	719 813	753 849	786 887	821		
Home Health Aide Coordinator	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269		
Inspector I	921 995	962 1039	1004 1084	1052 1136					
Inspector II	1004 1084	1052 1136	1099 1187	1149 1241	1203 1299	1257 1358	1315 1420		
Laboratory Technician	753 849	786 887	821 929	860 973	901 1017	942 1063	984 1109		
Licensed Practical Nurse	821 950	860 995	901 1039	942 1084	984 1136	1027 1187			
Medical Laboratory Assistant	821 887	860 929	901 973	942 1017	984 1063	1027 1109	1075 1161		
Nutrition Assistant	860 929	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	
Public Health Aide	552 596	579 625	606 654	632 683	659 712	686 741	719 777		

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PROPOSED RULES

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	860 929	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212		
Bookkeeper	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	1229 1327	1284 1387
Home Health Aide	659 741	686 777	719 813	753 849	786 887	821 929	860		
Home Health Aide Coordinator	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	1229 1327		
Inspector I	962 1039	1004 1084	1052 1136	1099 1187					
Inspector II	1052 1136	1099 1187	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485		
Laboratory Technician	786 887	821 929	860 973	901 1017	942 1063	984 1109	1027 1161		
Licensed Practical Nurse	860 995	901 1039	942 1084	984 1136	1027 1187	1075 1241			
Medical Laboratory Assistant	860 929	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212		
Nutrition Assistant	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	1229 1327	
Public Health Aide	579 625	606 654	632 683	659 712	686 741	719 777	753 813		

3. Plan C.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Animal Warden	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269		
Bookkeeper	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	1229 1327	1284 1387	1344 1452
Home Health Aide	686 777	719 813	753 849	786 887	821 929	860 973	901		
Home Health Aide Coordinator	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	1229 1327	1284 1387		
Inspector I	1004 1084	1052 1136	1099 1187	1149 1241					
Inspector II	1099 1187	1149 1241	1203 1299	1257 1358	1315 1420	1375 1485	1434 1549		
Laboratory Technician	821 929	860 973	901 1017	942 1063	984 1109	1027 1161	1075 1212		
Licensed Practical Nurse	901 1039	942 1084	984 1136	1027 1187	1075 1241	1122 1299			
Medical Laboratory Assistant	901 973	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269		
Nutrition Assistant	942 1017	984 1063	1027 1109	1075 1161	1122 1212	1175 1269	1229 1327	1284 1387	
Public Health Aide	606 654	632 683	659 712	686 741	719 777	753 813	786 849		

C. Clerical.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Clerk I	<u>566</u> 616	<u>584</u> 645	<u>602</u> 676	<u>619</u> 704	<u>636</u> 734	<u>657</u> 766	<u>679</u> 801	<u>702</u> 839	<u>725</u>
Clerk II	<u>636</u> 704	<u>657</u> 734	<u>679</u> 766	<u>702</u> 801	<u>725</u> 839	<u>747</u> 877	<u>770</u> 917	<u>795</u> 959	<u>823</u>
Clerk III	<u>725</u> 784	<u>747</u> 821	<u>770</u> 857	<u>795</u> 895	<u>823</u> 937	<u>852</u> 982	<u>881</u> 1027	<u>913</u> 1073	<u>946</u>
Clerk-Typist I	<u>584</u> 645	<u>602</u> 676	<u>619</u> 704	<u>636</u> 734	<u>657</u> 766	<u>679</u> 801	<u>702</u> 839	<u>725</u> 877	<u>747</u>
Clerk-Typist II	<u>636</u> 704	<u>657</u> 734	<u>679</u> 766	<u>702</u> 801	<u>725</u> 839	<u>747</u> 877	<u>770</u> 917	<u>795</u> 959	<u>823</u>
Clerk-Typist III	<u>725</u> 784	<u>747</u> 821	<u>770</u> 857	<u>795</u> 895	<u>823</u> 937	<u>852</u> 982	<u>881</u> 1027	<u>913</u> 1073	<u>946</u>
Clerk-Steno I	<u>619</u> 676	<u>636</u> 704	<u>657</u> 734	<u>679</u> 766	<u>702</u> 801	<u>725</u> 839	<u>747</u> 877	<u>770</u> 917	<u>795</u>
Clerk-Steno II	<u>679</u> 766	<u>702</u> 801	<u>725</u> 839	<u>747</u> 877	<u>770</u> 917	<u>795</u> 959	<u>823</u> 1004	<u>852</u> 1049	<u>881</u>
Clerk-Steno III	<u>747</u> 821	<u>770</u> 857	<u>795</u> 895	<u>823</u> 937	<u>852</u> 982	<u>881</u> 1027	<u>913</u> 1073	<u>946</u> 1119	<u>981</u>
Swbd. Operator I	<u>602</u> 704	<u>619</u> 734	<u>636</u> 766	<u>657</u> 801	<u>679</u> 839	<u>702</u> 877	<u>725</u> 917	<u>747</u> 959	<u>770</u>
Swbd. Operator II	<u>636</u> 748	<u>657</u> 784	<u>679</u> 821	<u>702</u> 857	<u>725</u> 895	<u>747</u> 937	<u>770</u> 982	<u>795</u> 1027	<u>823</u>

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7	8	9
Clerk I	<u>584</u> 704	<u>602</u> 734	<u>619</u> 766	<u>636</u> 801	<u>657</u> 839	<u>679</u> 877	<u>702</u> 917	<u>725</u>	<u>747</u>
Clerk II	<u>657</u> 801	<u>679</u> 839	<u>702</u> 877	<u>725</u> 917	<u>747</u> 959	<u>770</u> 1004	<u>795</u> 1049	<u>823</u>	<u>852</u>
Clerk III	<u>747</u> 895	<u>770</u> 937	<u>795</u> 982	<u>823</u> 1027	<u>852</u> 1073	<u>881</u> 1119	<u>913</u> 1172	<u>946</u>	<u>981</u>
Clerk-Typist I	<u>602</u> 734	<u>619</u> 766	<u>636</u> 801	<u>657</u> 839	<u>679</u> 877	<u>702</u> 917	<u>725</u> 959	<u>747</u>	<u>770</u>
Clerk-Typist II	<u>657</u> 801	<u>679</u> 839	<u>702</u> 877	<u>725</u> 917	<u>747</u> 959	<u>770</u> 1004	<u>795</u> 1049	<u>823</u>	<u>852</u>
Clerk-Typist III	<u>747</u> 895	<u>770</u> 937	<u>795</u> 982	<u>823</u> 1027	<u>852</u> 1073	<u>881</u> 1119	<u>913</u> 1172	<u>946</u>	<u>981</u>
Clerk-Steno I	<u>636</u> 766	<u>657</u> 801	<u>679</u> 839	<u>702</u> 877	<u>725</u> 917	<u>747</u> 959	<u>770</u> 1004	<u>795</u>	<u>823</u>
Clerk-Steno II	<u>702</u> 877	<u>725</u> 917	<u>747</u> 959	<u>770</u> 1004	<u>795</u> 1049	<u>823</u> 1094	<u>852</u> 1147	<u>881</u>	<u>913</u>

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PROPOSED RULES

Clerk-Steno III	770 937	795 982	823 1027	852 1073	881 1119	913 1172	946 1223	981	1015
Swbd. Operator I	619 801	636 839	657 877	679 917	702 959	725 1004	747 1049	770	795
Swbd. Operator II	657 857	679 895	702 937	725 982	747 1027	770 1073	795 1119	823	852

3. Plan C

a. Class of positions

	1	2	3	4	5	6	7	8	9
Clerk I	602 766	619 801	636 839	657 877	679 917	702 959	725 1004	747	770
Clerk II	679 877	702 917	725 959	747 1004	770 1049	795 1094	823 1147	852	881
Clerk III	770 982	795 1027	823 1073	852 1119	881 1172	913 1223	946 1281	981	1015
Clerk-Typist I	619 801	636 839	657 877	679 917	702 959	725 1004	747 1049	770	795
Clerk-Typist II	679 877	702 917	725 959	747 1004	770 1049	795 1094	823 1147	852	881
Clerk-Typist III	770 982	795 1027	823 1073	852 1119	881 1172	913 1223	946 1281	981	1015
Clerk-Steno I	657 839	679 877	702 917	725 959	747 1004	770 1049	795 1094	823	852
Clerk-Steno II	725 959	747 1004	770 1049	795 1094	823 1147	852 1198	881 1252	913	946
Clerk-Steno III	795 1027	823 1073	852 1119	881 1172	913 1223	946 1281	981 1340	1015	1052
Swbd. Operator I	636 877	657 917	679 959	702 1004	725 1049	747 1094	770 1147	795	823
Swbd. Operator II	679 937	702 982	725 1027	747 1073	770 1119	795 1172	823 1223	852	881

4. Plan D

a. Class of Positions

	1	2	3	4	5	6	7	8	9
Clerk I	619	636	657	679	702	725	747	770	795
Clerk II	702	725	747	770	795	823	852	881	913
Clerk III	795	823	852	881	913	946	981	1015	1052
Clerk-Typist I	636	657	679	702	725	747	770	795	823
Clerk-Typist II	702	725	747	770	795	823	852	881	913
Clerk-Typist III	795	823	852	881	913	946	981	1015	1052
Clerk-Steno I	679	702	725	747	770	795	823	852	881
Clerk-Steno II	747	770	795	823	852	881	913	946	981
Clerk-Steno III	823	852	881	913	946	981	1015	1052	1092
Swbd. Operator I	657	679	702	725	747	770	795	823	852
Swbd. Operator II	702	725	747	770	795	823	852	881	913

5. Plan E

a. Class of Positions

	1	2	3	4	5	6	7	8
Clerk I	657	679	702	725	747	770	795	823
Clerk II	747	770	795	823	852	881	913	946
Clerk III	852	881	913	946	981	1015	1052	1092

PROPOSED RULES

Clerk-Typist I	679	702	725	747	770	795	823	852
Clerk-Typist II	747	770	795	823	852	881	913	946
Clerk-Typist III	852	881	913	946	981	1015	1052	1092
Clerk-Steno I	725	747	770	795	823	852	881	913
Clerk-Steno II	795	823	852	881	913	946	981	1015
Clerk-Steno III	881	913	946	981	1015	1052	1092	1132
Swbd. Operator I	702	725	747	770	795	823	852	881
Swbd. Operator II	747	770	795	823	852	881	913	946

6. Plan F

a. Class of Positions

	1	2	3	4	5	6	7	8
Clerk I	702	725	747	770	795	823	852	881
Clerk II	770	795	823	852	881	913	946	981
Clerk III	881	913	946	981	1015	1052	1092	1132
Clerk-Typist I	725	747	770	795	823	852	881	913
Clerk-Typist II	770	795	823	852	881	913	946	981
Clerk-Typist III	881	913	946	981	1015	1052	1092	1132
Clerk-Steno I	747	770	795	823	852	881	913	946
Clerk-Steno II	823	852	881	913	946	981	1015	1052
Clerk-Steno III	913	946	981	1015	1052	1092	1132	1174
Swbd. Operator I	725	747	770	795	823	852	881	913
Swbd. Operator II	770	795	823	852	881	913	946	981

D. Building maintenance. Employees in the classes specified in 1. and 2. who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

1. Plan A.

a. Class of positions.

	1	2	3	4	5	6	7
Custodian (+)	632	656	681	711	742		
	683	708	735	768	801		
Janitor (+)	742	772	806	840	877	913	951
	801	834	870	907	947	986	1027

2. Plan B.

a. Class of positions.

	1	2	3	4	5	6	7
Custodian (+)	742	772	806	840	877		
	801	834	870	907	947		
Janitor (+)	877	913	951	994	1036	1080	1128
	947	986	1027	1074	1119	1166	1218

(+) Employees who are required to work for a period of at least five hours after 6 P.M. on a regular scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

7 MCAR § 1.315 Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

A. Salary conversion tables.

1. The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 7 MCAR § 1.314. For those salary rates, the supervisor shall calculate hourly, daily and

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payroll period salaries for each of the salary rates listed. This table shall be based on an 8-hour day, 40 hour week and 2088-hour year. Agencies with a normal work schedule which varies from an 8-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table as provided for in 7 MCAR § ~~1.260 B.1.e.~~ 1.2395 B.3. or in 7 MCAR § 1.261 B.2.

Repealer. 7 MCAR §§ 1.269-1.313 are repealed.

Department of Public Safety Minnesota Merit System

Proposed Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full- and Part-time Employment; Appointments, Promotions, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Notice of Hearing

A public hearing concerning the above-entitled matter will be held in Conference Room A, fourth floor, Centennial Office Building, St. Paul, Minnesota, 55155 on December 3, 1981, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above-entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Peter C. Erickson, Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota, 55104, either before the hearing or within five working days after the public hearing ends. The telephone number is 612/296-8118. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

Notice is hereby given that 25 days prior to the hearing, a statement of need and reasonableness will be available for review at the agency and at the Office of Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 11 MCAR § 1.2090 provide definitions for six new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation" and "salary increase."

Proposed revisions to 11 MCAR § 1.2091 provide new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the merit system council.

Proposed revisions to 11 MCAR § 1.2092 correct a rule reference to the state civil service act and provide an additional responsibility for the merit system supervisor of proposing amendments to merit system rules.

Proposed revisions to 11 MCAR § 1.2093 remove the classification plan from the rules and provides for publishing them in the Public Safety Merit System Manual; eliminate the section of the rule allowing amendments to the classification plan for up to six

months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination; explain the process for amending the classification plan.

Proposed revisions to 11 MCAR § 1.2094 reword those sections involving the preparation and adoption of a compensation plan by the commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase of cost-of-living salary adjustments from 8% to 9%; provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all merit system employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 11 MCAR § 1.2116.

11 MCAR § 1.2091 B. 2. and 3. makes 12 MCAR § 2.495 through 12 MCAR § 2.510, which are the rules of the Department of Public Welfare Merit System, applicable to county and local emergency services agencies. A copy of the notice of hearing for the Department of Public Welfare is attached for your information. If the Department of Public Welfare adopts the proposed changes to 12 MCAR §§ 2.496, 2.498, 2.500, 2.503, 2.504 and 2.508, these rules will also apply to emergency services agencies.

Proposed revisions to 11 MCAR § 1.2116 repeal all of the old language in this rule and incorporate it as part of 11 MCAR § 1.2094.

Proposed revisions to 11 MCAR § 1.2117 change rule references only.

Proposed revisions to 11 MCAR § 1.2118 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 11 MCAR § 1.2140 provide for a general upgrading of salary ranges for most of the classes by 8%, with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 11 MCAR § 1.2141 corrects a rule reference only.

In view of proposed amendments to 11 MCAR § 1.2093 removing the classification plan from the rules, it is proposed to repeal 11 MCAR §§ 1.2125, 1.2126, 1.2127, 1.2129 and 1.2130, consisting of the class specifications for all Public Safety Merit System classifications.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. § 12.22, subd. 3.

The cost to local public bodies of implementing the proposed rule changes will not exceed \$100,000 for 1982.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone 612/296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year, for the

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purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

October 13, 1981

Albert H. Quie
Governor

Rules as Proposed

11 MCAR § 1.2090 Definitions.

A. Applicability. The following definitions apply ~~throughout these rules~~ to 11 MCAR §§ 1.2090-1.2141, unless the context clearly requires another meaning:

1. Allocation. "Allocation" means the ~~original~~ assignment of a position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work performed in the position.

2. Appointing authority. "Appointing authority" means the county board of commissioners, the town board, the mayor, or other officer or board authorized by statute or lawfully delegated authority to make appointments to positions under the merit system for civil defense.

3. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority affecting the duties and responsibilities of a position.

~~3-~~ 4. Class. "Class" means one or more positions sufficiently similar in the duties performed, degree of supervision exercised or required, requirements of training, experience, or skill, and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

~~4-~~ 5. Classified service. "Classified service" means all positions covered by ~~these rules~~ 11 MCAR §§ 1.2090-1.2141 as provided in 11 MCAR § 1.2091 E.

~~5-~~ 6. Commissioner of Public Safety or commissioner. "Commissioner of Public Safety" or "commissioner" means the administrative head of the State Department of Public Safety.

~~6-~~ 7. Council. "Council" means the merit system council.

~~7-~~ 8. County register. "County register" means the subregister established for a county from a state-wide register, ~~either~~ competitive or promotional, register containing the names of persons who have legal residence in the county or, in the event of a promotional examination, who are employed by the local agency.

~~8-~~ 9. Day. "Day" means calendar day except where otherwise specified in the specific rule.

~~9-~~ 10. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

~~10-~~ 11. Desirable qualifications. "Desirable qualifications" means the requirements of training and experience desired but not necessary to qualify for a given class of positions in the classification plan.

~~11-~~ 12. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. ~~43.30~~ § 43A.11.

~~12-~~ 13. Dismissal. "Dismissal" means the termination of employment of an employee for cause.

~~13-~~ 14. Eligible or eligible person. "Eligible" or "eligible person" means any person whose name is on a register.

~~14-~~ 15. Emergency appointment. "Emergency appointment" means an appointment required by a state of emergency as described in 12 MCAR § 2.499 C.

~~15-~~ 16. Employee. "Employee" means any person employed by a local civil defense agency in a position covered by ~~these rules~~ (11 MCAR § 1.2091 E.) who is paid a salary or wage.

~~16-~~ 17. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. § 179.63, subd. 6.

~~17-~~ 18. Facsimile. "Facsimile" means a replica, e.g., A facsimile of ~~12~~ 11 MCAR § ~~2.541~~ 1.2141 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly or four-week rates if paid on this basis or the daily rate based on the number of working days in the month—20, 21, 22, or 23 days if paid on a monthly basis.

~~18-~~ 19. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on ~~the annual~~ a salary survey.

~~19-~~ 20. Intermittent employee. "Intermittent employee" means an employee who works whenever needed or on a schedule which cannot be predicted in advance.

~~20-~~ 21. Layoff. "Layoff" means the termination of employment because of shortage of funds or curtailment of services.

22. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their position, lack of funds, shortage of work or other reason beyond the control of the employee.

~~21-~~ 23. Limited-term appointment. "Limited-term appointment" means an appointment from a register for a period not to exceed six months as described in 12 MCAR § 2.499 D.

~~22-~~ 24. Local agency. "Local agency" means the organization created to carry out the functions and programs of the jurisdiction's civil defense responsibilities.

~~23-~~ 25. Local civil defense authority. "Local civil defense authority" means the governing board, commission, council, or mayor under whose authority a county, town, village, or borough establishes a local civil defense agency.

~~24-~~ 26. Merit increase. "Merit increase" means a salary increase given to an individual employee based on meritorious job performance.

~~25-~~ 27. Military leave. "Military leave" means the leave of absence granted by state law to employees entering active duty in the armed forces of the State of Minnesota or the United States of America.

~~26-~~ 28. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~27-~~ 29. Original appointment. "Original appointment" means a regular appointment of an individual to a local civil defense staff through selection from an open-competitive register and is the beginning point of the probationary period (and is sometimes referred to as probationary appointment).

~~28-~~ 30. Permanent employee. "Permanent employee" means an employee who has successfully completed ~~his/her~~ a probationary period or who has attained permanent status upon the installation of the merit system.

~~29-~~ 31. Position. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full or part-time employment of one person.

~~30-~~ 32. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which ~~they have~~ the employee has been appointed from an eligible list.

~~31-~~ 33. Probationary period. "Probationary period" means the first six-month working test period during which a new appointee is required to demonstrate his fitness for the position to which he is appointed by actual performance of the duties of the position.

~~32-~~ 34. Promotion. "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~33-~~ 35. Provisional appointment. "Provisional appointment" means an appointment of a person not on a register to fill a position pending the establishment of a register for ~~such~~ the position in accordance with the provisions of 12 MCAR § 2.499 B.

~~34-~~ 36. Reallocation. "Reallocation" means ~~a reassignment, or change in allocation, of a position by raising it to a higher class of positions, reducing it to a lower class of positions, or moving it to another class of positions at the same level, on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in the position~~ the reclassification of a position resulting from significant changes in the duties and responsibilities of the position that occur gradually over a period of time.

37. Reclassification. "Reclassification" means a change in the allocation or reallocation of a position to a higher, lower or equivalent class.

38. Reemployment list. "Reemployment list" means a list of former permanent or probationary employees who have been laid off or who have voluntarily separated from merit system employment in good standing and whose applications for reemployment in the merit system are submitted within one year of separation.

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~~35-~~ 39. Register. "Register" means an officially established list of eligibles for a particular class.

~~36-~~ 40. Resignation. "Resignation" means the termination of employment made at the request of the employee.

~~37-~~ 41. Salary adjustment. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, ~~and~~ or labor market conditions.

42. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost-of-living factors, going rates for similar jobs or labor market conditions.

~~38-~~ 43. State agency. "State agency" means the Governor acting through the State Department of Public Safety, Division of Civil Defense, which is responsible for the administration and supervision of the civil defense programs in the State of Minnesota.

~~39-~~ 44. Supervisor. "Supervisor" means the merit system supervisor.

~~40-~~ 45. Suspension. "Suspension" means an enforced leave of absence with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.

~~41-~~ 46. Temporary employee. "Temporary employee" means an employee who has been appointed to a position from an eligible register but the appointment has a definite ending date.

~~42-~~ 47. Transfer. "Transfer" means the movement of an employee from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

~~43-~~ 48. Veteran. "Veteran" means all persons defined as veterans by Minnesota Statutes, Section Minn. Stat. § 197.46.

~~44-~~ 49. Veteran's preference. "Veteran's preference" means the preference granted to veterans by Minnesota Statutes, Section ~~43-30~~ Minn. Stat. § 43A.11.

B.1.-4. [Unchanged.]

11 MCAR § 1.2091 Statement of policy and means of effecting policy.

A.1.a.-e. [Unchanged.]

B.1.-4. [Unchanged.]

C.1. [Unchanged.]

D.1.a.-d. and 2. [Unchanged.]

E.1. [Unchanged.]

F. Political activity.

1.-4. [Unchanged.]

5. Any employee may be a candidate in nonpartisan elections. These are elections in which none of the candidates is to be nominated or elected as representing a political party whose candidates for presidential elector received votes ~~at~~ in the last ~~preceding~~ presidential election.

6. [Unchanged.]

G. Prohibition against discrimination.

1. In general. No person shall be discriminated for or against in such matters as his recruitment, examination, appointment, tenure, compensation, classification, or promotion or in such matters as conditions, facilities, or privileges of employment because of his race, color, creed, religion, national origin, physical disability (where ~~such~~ the disability does not interfere with the completion of assigned duties), age or sex. Any person aggrieved by a violation of ~~the above~~ these prohibitions may file a complaint under the provisions of ~~the Minnesota State Act Against Discrimination, Chapter Minn. Stat. ch. 363 of Minnesota Statutes.~~

2. Political opinions. No person shall be discriminated for or against as provided in ~~11 MCAR § 1.2091 C- 1.~~ because of his political opinions or affiliations within the limitations imposed by ~~11 MCAR § 1.2091 F. of these rules,~~ nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of ~~Chapter Minn. Stat. ch. 363 of Minnesota Statutes~~ may file a complaint with the merit system supervisor setting forth the basis of his belief that an act or threat or promise of an act of discrimination occurred

and identifying by name and position the person alleged to have committed ~~such~~ the act or threat or promise of an act of discrimination.

3. Investigations. The supervisor or his designated representative shall conduct an investigation of the alleged discrimination and shall report the complaint and the findings of the investigation to the merit system council at its next meeting. The complainant shall have the right to present his complaint personally to the council. The council shall order any further investigation or hearing as may be warranted ~~preliminary~~ prior to making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent future discrimination.

H. Violations.

1. [Unchanged.]

2. Violations of 11 MCAR §§ 1.2090-1.2141 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. In the event the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who shall take action as appropriate including, but not limited to, denial or suspension of all or part of state and federal administrative reimbursement funds.

3. An appointing authority may appeal any denial or suspension of administrative reimbursement to the merit system council which shall make its recommendation to the commissioner. The commissioner's decision shall be final.

11 MCAR § 1.2092 Organization.

A. [Unchanged.]

B. [Unchanged.]

C.1.-4. [Unchanged.]

D. Merit system supervisor.

1. [Unchanged.]

2. In conformance with ~~these rules~~ 11 MCAR §§ 1.2090-1.2141, it shall be the duty of the merit system supervisor:

a.-d. [Unchanged.]

e. To appoint staff members, including technicians, clerks, stenographers, and such other permanent or temporary employees as are necessary to carry out the provisions of ~~these rules~~ 11 MCAR §§ 1.2090-1.2141. ~~Such~~ The employees shall be chosen in accordance with the provisions of the State Civil Service Minnesota Department of Employee Relations rules and regulations.

f. To review, develop and propose amendments to existing merit system rules for consideration and recommendation by the merit system council and in accordance with the provisions of Minn. Stat. ch. 15.

~~f. g.~~ To perform such other duties as are prescribed by these rules 11 MCAR §§ 1.2090-1.2141 or by the council.

11 MCAR § 1.2093 Classification plan.

A. Preparation and adoption.

1. The Governor, through the Commissioner of Public Safety shall formally adopt a comprehensive classification plan for all positions covered by ~~these rules~~ 11 MCAR §§ 1.2090-1.2141 which shall be published as part of the Public Safety Merit System Manual. The plan shall be based on investigation and analysis of the duties and responsibilities of positions and shall be so developed and maintained that all positions that are substantially similar in the kind, difficulty, and responsibility of work are included in the same class. Class titles established by the classification plan shall be used in all personnel and financial records of the Department of Public Safety and the local civil defense agency, as well as in all examination procedures.

2. [Unchanged.]

B. Allocation of positions.

~~+~~ Every position under the Minnesota merit system as provided in 11 MCAR § 1.2091 E. shall be allocated by the merit

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system supervisor to one of the appropriate classes established in the classification plan. No person shall be appointed or promoted to any position until it has been properly classified as herein provided. As additional classes are established or existing classes are abolished or changed, such necessary allocation or reallocation shall be made by the supervisor to new or existing classes as is ~~necessitated thereby~~ necessary.

C. ~~Reallocation~~ Reclassification of positions.

~~1-~~ Whenever a position appears to be improperly allocated, the supervisor shall, upon his own initiative, or upon the request of an appointing authority or a permanent employee, investigate the duties of the position. Following the investigation the supervisor shall allocate the position to its proper class and notify the affected parties.

D. Incumbents of ~~reallocated~~ reclassified positions.

1. Appointment authorized. When a position is reclassified and it is determined to be a reallocation resulting from a significant change in the duties and responsibilities of the position occurring gradually over a period of time, the supervisor may authorize an appointing authority to promote the incumbent of the reallocated position. Any employee promoted in accordance with this paragraph shall serve a probationary period in the higher class.

2. Eligibility. When a position in one class is ~~reallocated to a different class~~ is reclassified resulting from a change in allocation, the incumbent shall not be deemed eligible to continue in ~~this the~~ position unless he is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted by appropriate action of the appointing authority in accordance with such provisions of ~~these rules~~ 11 MCAR §§ 1.2090-1.2141 as may be deemed to be applicable. If ineligibility of a permanent or probationary incumbent of a ~~reallocated~~ reclassified position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, provided that his name is not on the existing register; ~~he did not take and fail the examination from which the existing register was established;~~ and he was eligible to take the examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted, or demoted, the provisions of ~~these rules~~ 11 MCAR §§ 1.2090-1.2141 about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with ~~such these~~ these provisions of ~~these rules~~ must occur within sixty 60 days of the notification of ~~reallocation~~ reclassification of the position.

~~2-~~ 3. Equivalent duties. The Commissioner of Public Safety may authorize the ~~reallocation~~ reclassification of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so ~~reallocated~~ reclassified must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

4. Incumbent appointed after exam. If the incumbent examined in accordance with ~~the above procedure~~ 3. successfully completes the examination process, ~~notwithstanding the provisions of 12 MCAR § 2.498 C.2-;~~ the supervisor may certify only the name of the eligible incumbent to the appointing authority.

5. Probation prohibited. Notwithstanding the provisions of 12 MCAR § 2.500 B.1.a., an employee appointed under ~~the provisions of this rule will~~ 4. shall not be required to serve a new probationary period in the higher classification.

E. Class specifications.

~~1-~~ The classification plan shall consist of written specifications for each class. Each specification shall include an appropriate class title, a description of the duties and responsibilities of the work, and the requirements of training, experience, and other qualifications.

F. ~~Amendment of the classification~~ Revision of plan.

~~1-~~ Whenever any changes in organization, creation of a new position, or a change in duties or responsibilities of a position necessitate a revision of the classification plan, the Supervisor shall conduct an investigation and analysis of the duties and responsibilities of the class specifications involved. New class specifications will be developed after consultation with supervisory officials, classification specialists, and persons technically familiar with the character of the work.

2- The proposed new or revised class specifications shall be submitted to the Merit System Council for review and recommendations. Upon such review and recommendation the Commissioner of Public Safety shall call and hold a public hearing on the proposed new or revised class specifications. Following the public hearing, the Governor, through the Commissioner of Public Safety, may formally adopt a new or revised class of positions and shall notify the agencies of the changes made.

~~3. In the event of an emergency, the Merit System Council may approve a new or revised class specification for a period not to exceed six months, without the official public hearing. In no case will an emergency class specification last more than six months from the date of approval by the Merit System Council~~ Existing classes may be abolished or changed, or new classes added, in accordance with A.

11 MCAR § 1.2094 Compensation plan.

A. Preparation and adoption.

1. Preparation of plan. The Governor, through the Commissioner of Public Safety shall formally adopt and make effective a comprehensive compensation plan, ~~(11 MCAR § 1.2140),~~ for all classes of positions which shall apply to all agencies covered by the merit system except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those ~~limited~~ instances where the requirements of ~~11 MCAR § 1.2116 C, F.2.c.~~ have been satisfied. The plan shall include salary ranges for the various classes, with the salary of each class consistent with the duties and responsibilities outlined in the class specifications. Minimum, intervening, and maximum rates of pay for each class shall be established to provide for ~~steps in~~ salary advancement without change of duty, in recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates ~~in other similar employments,~~ for similar and competing types of employment in business and government and other relevant factors shall be taken into consideration in ~~arriving at such~~ developing the ranges.

2. Review by council. The proposed compensation plan, and any subsequent amendments thereto, shall be submitted to the council for review and recommendation ~~in relation to the merit system program of recruitment and examination.~~ Upon review and recommendation and after compliance with the provisions of Minn. Stat. ch. 15, the Governor, through the commissioner, shall formally adopt the compensation plan which shall be the official salary schedule of the Minnesota merit system, effective the date specified.

3. Salary plans. The comprehensive compensation plan adopted by the commissioner shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes where a single range of rates is found to be appropriate. Plans shall be established as provided in 11 MCAR § 1.2140 as follows:

- a. Professional — A, B and C;
- b. Clerical — A, B and C.

B. Selection of salary ranges by local civil defense authority.

~~1. The local Civil Defense authority shall select a salary plan for all employees 1) except these in a bargaining unit where a salary schedule has been negotiated by the appointing authority and the exclusive representative and 2) except as provided in 11 MCAR § 1.2094 B-6. Such a plan shall be selected from each of the following salary schedules provided under 11 MCAR § 1.2140: Professional — A, B, C; Clerical — A, B, C, D, E, F.~~

~~2. Such rates, as provided for in 11 MCAR § 1.2094 B-1, shall be identified by alphabetical designation, and adjustment of the plan as provided in 11 MCAR § 1.2094 D, shall not serve to amend the alphabetical designated rates selected as the county plan.~~

~~3. The designation of the rates selected from the plan in each case shall be by resolution of the local Civil Defense authority. The Commissioner of Public Safety and the Supervisor shall be promptly notified of the rates selected by each jurisdiction.~~

~~4. The alphabetically designated rates selected by the local Civil Defense authority shall become the official plan for the local Civil Defense agency until amended by the salary setting authority as provided in 11 MCAR § 1.2094 C.~~

~~5. Salary rates for incumbents of positions shall be established in accordance with the provisions of 11 MCAR § 1.2116 B-1. 2. on the basis of the plan adopted by the local Civil Defense authority as provided above.~~

1. Adoption as official plan. Appointing authorities shall by resolution choose a salary plan for each occupational grouping of classes from among the plans listed in A.3. ~~except where salaries are negotiated with an exclusive representative or 5. is applicable.~~ The plans adopted shall become the official plans for the appointing authority until amended.

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2. Selection of rates. Within the minimum and maximum salaries for classes in the adopted plans, appointing authorities shall designate by resolution the minimum, intervening and maximum salary rates to be paid for each class of positions used by the appointing authority. The supervisor shall be promptly notified of the rates selected by each appointing authority.

3. Plan amendments. The appointing authority may by resolution amend its official plan for one or more occupational groupings of classes. The supervisor shall be promptly notified of the amendment.

4. Incumbents. Salary rates for incumbents of positions shall be established in accordance with the provisions of F.2. and 3. on the basis of the plan adopted by the appointing authority as provided in A.3.

6- 5. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority ~~has the discretion of paying~~ may pay confidential, supervisory, and other personnel not covered by an exclusive representative who are in the same class as the employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under ~~11 MCAR § 1.2094 E D.1.~~ In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.

C. Amendment of salary ranges selected by local Civil Defense authority

~~1. The local Civil Defense authority may amend the official plan for the jurisdiction by the selection of a different salary schedule as provided in 11 MCAR § 1.2094 B.~~

~~2. The Merit System Supervisor shall be notified by letter of the official action of the local authority to amend the plan for the jurisdiction at least ten days in advance of the effective date of such amended plan, unless such change results from the signing of a contract by the appointing authority and the exclusive representative.~~

~~D.~~ Adjustment of the official salary schedule of the Minnesota merit system.

~~1. Consumer price index.~~ The compensation plan provided in 11 MCAR § 1.2140 shall be adjusted for changes in the level of salary rates in business and government for similar and competing types of employment and for changes in the Twin City Consumer Price Index.

~~2. Biennial review of labor market.~~ In every odd-numbered year the supervisor shall conduct a review of changes in the level of salary rates in the labor market since the time of the most recent adjustment of the compensation plan. This review shall utilize the data and findings of other labor market surveys and shall, to the extent possible, be based upon similar surveys and data used in previous reviews. The supervisor shall complete this study and report the findings to the Commissioner of Public Safety on or before July 31 of each odd-numbered year.

~~3. If the report of the Supervisor reveals an increase or decrease in salary rates in the labor market for similar and/or competing employment of four percent or more, the Governor, through the Commissioner of Public Safety shall announce a public hearing for a general adjustment of the compensation plan. If the changes in the labor market are of less than four percent or differ significantly for various types of employment, the Governor, through the Commissioner of Public Safety may announce a public hearing to adjust the compensation plan in whole or in part.~~

~~4. The announcement of the public hearing to the affected agencies and employee organizations shall include the proposed compensation plan, an explanation of the adjustments proposed, and a summary of the findings of the survey upon which the proposed adjustment is based.~~

~~5. The public hearing shall provide opportunity for all interested individuals and groups to present evidence, testimony, and views on the proposed compensation plan. Following the public hearing and after consideration of all the evidence, the Governor, through the Commissioner shall make his decision.~~

Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with Minn. Stat. ch. 15, and as outlined in 11 MCAR § 1.2094 A. An amended compensation plan shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

~~6. The appointing authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that such employees were paid under the former plan.~~

~~7. 4. Biennial review of consumer price index.~~ In every even-numbered year, the supervisor shall conduct a review of the changes in the consumers price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics, new series index (1967=100). The supervisor shall recommend that all rates of pay in the professional and clerical salary schedules be adjusted by an amount equal to 80 percent of the increase between the consumer price index for June of the current year and the consumer price index for June of the preceding year. This amount shall be rounded to the nearest tenth of a percent and may not exceed ~~8%~~ nine percent. The new recommended monthly salary rates shall be rounded to the nearest whole dollar. The same percentage increase recommended by the supervisor for all rates of pay

shall be recommended as a general salary adjustment for all incumbents of positions in the professional and clerical salary schedules. An amended compensation plan resulting from these recommendations shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

5. Plan adjustments. The appointing authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that the employees were paid under the former plan.

E. D. Negotiation of salary schedule.

1. Role of exclusive representative. In those agencies where employees have elected an exclusive representative the appointing authority and the exclusive representative may negotiate their own salary schedules for employees in the bargaining unit by class, with the salary for each consistent with the functions outlined in the class specifications. ~~Initial Minimum~~, intervening, and maximum rates of pay for each shall be established to provide for steps in salary advancement without change of duty, in the recognition of meritorious service. When a new classification not previously used in the agency is established in the middle of the contract period and ~~such~~ the class falls within the bargaining unit and no provision exists in the contract for establishing ~~such~~ those salaries, the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within ~~sixty~~ 60 days of the date of establishment of the classification.

2. Filing. A complete copy of the ~~adopted~~ negotiated salary schedule must be filed with the supervisor within ten days after the signing of the contract or agreement. If the contract or agreement calls for succeeding increases in the salary schedule which change the original minimum and maximum salaries or intervening steps a new adjusted salary schedule must be filed with the supervisor within ten days after the effective date of any such succeeding adjustment.

F. E. Administration of the plan.

~~1. On either the official salary schedule of the Minnesota Merit System or the negotiated salary schedules, the entrance salary for any new employee shall be at the minimum salary for the class of positions to which the employee is appointed, except that the entrance salary may be above the minimum rate, provided that:~~

~~a. Such appointment at a higher rate is justified by the exceptional qualifications of the individual and that others having similar qualifications are offered the same rate.~~

OR

~~b. Such appointment at a higher rate has first been offered to all individuals standing higher on the register who have been offered the appointment.~~

AND

~~c. Such appointment under a. or b. above shall be made at one of the regularly established steps in the salary range.~~

~~d. When such appointment, except appointments under a. above, is made by the appointing authority at other than the minimum of the range, all employees having probationary or permanent status in the same class in the local unit shall be at or above the point in the range at which the appointment is made, or they shall be raised to that point.~~

~~e. Such appointment under a. or b. above shall be subject to the prior approval of the Merit System Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate. In those agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. The request, including reasons, must be submitted in writing by the appointing authority to the supervisor for prior approval.~~

F. Salary adjustments and increases.

1. Availability of funds. Before salary increases and adjustments are made in accordance with 11 MCAR §§ 1.2090-1.2141 or

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in accordance with a negotiated collective bargaining agreement, the civil defense authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

2. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with a.-h.

a. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the merit system compensation plan adopted by the appointing authority the rate shall be adjusted to that minimum.

b. If the rate of pay of an employee is at or above the new minimum salary adopted for the employee's class, the employee may receive the general merit system adopted adjustment and, if a class was adjusted to a greater extent than the general adopted adjustment, the class may receive the additional adjustment as provided in C.4. if the additional adjustment does not place the class salary over the new maximum adopted salary for the class.

c. If an appointing authority has determined that the general merit system adopted adjustment is inappropriate for its employees, it may grant a different adjustment; however, it must file with the supervisor the new salary steps by class and a salary conversion table as provided for in 11 MCAR § 1.2141. The adjustments shall at least place employees at the minimum salary and not over the maximum salary for their class on the salary plan adopted by the agency.

d. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class, only if a merit system adjustment is adopted and only in the amount adopted for incumbents of that class.

e. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class the rate may remain the same as long as the employee retains the same classification.

f. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range due to the adoption of a merit system general adjustment the rate may remain the same. In the case of subsequent merit increases the employee shall be placed on a step in the adopted salary range for the employee's class.

g. Employees at the maximum salary rate for their class may only be granted merit system adopted salary adjustments in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to its employees than that adopted by the merit system and the adjustment would place an employee's rate of pay above the maximum salary rate for the employee's class, the appointing authority by prior resolution may grant to an employee the annual equivalent of the difference between the merit system adopted adjustments for incumbents and the agency adopted adjustment in the form of a single lump sum salary payment on the effective date of the general adjustment. The employee's base salary will remain at the maximum salary rate for the employee's class.

h. An appointing authority may propose a salary increase within the salary range after providing detailed written statements to the supervisor specifying the unusual employment conditions that make the action necessary and the interests of the agency that will be served by the action. The supervisor shall review each such proposal giving due consideration to the salary rates paid other employees in the same class in the agency and may deny any request which in his judgment is contrary to the best interests of the merit system. Salary increases proposed in accordance with this paragraph are not based on employee performance or a general merit system adopted salary adjustment. The granting of the increase will not affect the employee's eligibility for subsequent merit increases or salary adjustments in accordance with merit system rules. If the unusual employment conditions justifying the increase are of a temporary nature the employee's salary shall be decreased to its previous level upon conclusion of those conditions, notwithstanding the provisions of H.1. or 12 MCAR § 2.508 D.1.

3. Recommended adjustment. The merit system general adjustment recommended for incumbents is eight percent for employees on the professional and clerical salary schedules.

4. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same agency are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differential between employees in the same class of positions or between employees in different classes of positions in the same occupational field adjustments may be made that will, insofar as practicable, maintain differentials within the limits of the new plan. In maintaining differentials the appointing authority shall consider the length of service and quality of performance of the employee affected.

5. Collective bargaining agreements. In agencies where there is an exclusive representative and a negotiated salary

schedule for employees in the bargaining unit adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

G. Merit increases.

1. Increases by step. Merit increases from the minimum on the official merit system compensation plan or on any negotiated salary schedules or on any salary schedules filed with the supervisor pursuant to F.2.c. shall be by successive intervening steps of pay for the class with due consideration for length of service and quality of performance.

2. Eligible employees. In those agencies that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

3. Annual review for merit increases. In those agencies that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for the employee's classification shall be considered at least once each 12-month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. In the event an increase is not granted the reasons for the denial of the increase shall be reported in writing to the employee and to the merit system supervisor.

4. Restriction on frequency of increases. In those agencies that have adopted a merit increase policy, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed. In cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six month interval may be permitted. The facts upon which each exceptional merit increase is based shall be recorded in the official minutes of the local civil defense authority and reported to the merit system supervisor.

5. Increases based on additional education. In those agencies that have adopted a merit increase policy, an extraordinary merit increase within the agency's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

6. Lump sum payments. In those agencies that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other agency eligibility requirements for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for his classification the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. Appointing authorities, prior to the beginning of the year in which these merit increases are effective, must by resolution establish as official policy that these payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

H. Salary decreases.

1. In general. Except as otherwise negotiated by an agency and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 12 MCAR § 2.508 D.1.

2. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of 1.

1. Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and the work exceeds 15 consecutive work days the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within his salary range. If the assignment is to a position in a classification at an equal or lower level the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is

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anticipated to be less than six months. Approval of the assignments by the supervisor is required and must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment the employee's salary shall be reduced to its previous level, notwithstanding the provisions of H.1. or 12 MCAR § 2.508 D.1.

11 MCAR § 1.2117 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods.

~~+~~ The length of pay periods is at the discretion of the appointing authority ~~and/or~~ may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 11 MCAR §§ 1.2140 and 1.2141 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of 11 MCAR § ~~1.2116 B.1.e.~~ 1.2094 F.2.c. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. ~~Such~~ The time may be paid on an hourly, working-day or proportion of a month basis. The agencies using 11 MCAR § 1.2140 shall use the table prepared in accordance with 11 MCAR § 1.2141 in computing ~~such~~ the payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 11 MCAR § 1.2140 under the provisions of ~~11 MCAR § 1.2117 B.1. above~~ or those agencies operating under the provisions of 11 MCAR § ~~1.2116 B.1.e.~~ 1.2094 F.2.c. shall file within ~~10~~ ten days after the signing of the contract ~~such~~ the schedules with the supervisor. Attached thereto, shall be a table similar in format, computation, and information to the table provided for in 11 MCAR § 1.2141. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if ~~such~~ the payment is made on other than a monthly basis.

C. Payment for less than a full payroll period.

~~+~~ The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of hours ~~and~~ days the employee worked in the payroll period. Agencies shall use the table provided for in 11 MCAR § 1.2141 in computing this salary. Those agencies with an exclusive representative who have negotiated different salary schedules and those agencies operating under the provisions of 11 MCAR § ~~1.2116 B.1.e.~~ 1.2094 F.2.c. shall use their table prepared in accordance with 11 MCAR § 1.2141 in computing this salary.

D. Part payment from another source.

~~+~~ When part of the compensation of a local civil defense employee regularly is paid from another source, such as federal, state, city or county governmental departments, or from a different fund or account outside the control of the local civil defense authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation ~~and/or~~ sick leave upon separation.

1. An employee, who has permanent status in the county in some class, who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 12 MCAR § 2.504 ~~C.4.~~ B.3.d. on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 11 MCAR § 1.2141. This is illustrated by the following examples.

An employee who earns \$844 a month and is paid \$388 on a bi-weekly payroll (\$38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of \$38.80 × 19 days (8 regular working days plus 11 days of vacation) = \$737.20.

An employee who earns \$844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rate of \$38.36 (for 22 day month) × 19 days (8 regular working days plus 11 days of vacation) = \$727.70.

2. [Unchanged.]

3. [Unchanged.]

F. 1 [Unchanged.]

11 MCAR § 1.2118 Appointments, promotions, demotions, transfers, and reinstatements.

A. Appointment.

1. The entrance salary for ~~any~~ the original appointment, provisional appointment, or emergency appointment of a new

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employee (original appointment, provisional appointment, or emergency appointment) shall be at the minimum salary for the class of positions to which he is appointed, except when appointments are permitted above the minimum in accordance with 11 MCAR § 1.2094 E.

2. An employee who is provisionally employed at a rate of pay other than the minimum of the range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class ~~in which he is serving~~.

B. Promotions.

1. ~~An employee~~ Employees who is are promoted shall have ~~his~~ their salary raised to the minimum rate of pay for the new class. If ~~his~~ their salary before promotion falls within the range of the new class but not on any step within that range, the salary shall be adjusted to the ~~nearest~~ next higher step.

2. ~~An employee~~ Employees granted a salary increase after having been promoted may be permitted to retain that increase when returned to a lower class, ~~provided that~~ if the salary paid does not exceed the maximum of salary for the lower class.

C. Demotions.

~~1. An employee who is demoted except by reason of 11 MCAR § 1.2093 D. shall have his salary reduced to at least the maximum rate of the new class. If the salary is within the range for the new class, he may receive the same rate. An employee who continues in the same position and who is demoted under 11 MCAR § 1.2093 D. because of the downward reallocation of his position may continue to be paid at the former salary rate as long as he retains the same position without further increase except as may subsequently be provided in the new classification. An employee who is demoted, except one demoted in accordance with 11 MCAR § 1.2094 C., and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class the same salary may be continued. An employee whose position is reclassified downward in accordance with 11 MCAR § 1.2094 C. and remains in the same position may retain the former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.~~

D. Transfers.

~~1. An employee who is transferred may be paid the same salary that he received prior to transfer. His salary may be raised within the range for the class to which he is transferred, but it shall not be lowered. If an employee's salary prior to transfer falls within the salary range of the class to which he is transferring but not on a salary step in that range, the employee's salary may be increased to the next higher step in the range but it shall not be lowered.~~

E. Reinstatements.

~~1. A former employee who is reinstated or reemployed may be paid the same salary rate that he last received in the same class of positions if it coincides with a step in the current salary range for the class, or if it does not coincide, at the nearest next higher step.~~

11 MCAR § 1.2140 Compensation plan (emergency services)—~~1981~~ 1982

A. Professional

1. Plan A

Class of positions

	1	2	3	4	5	6	7	8
Administrative Officer	1203	1257	1315	1375	1434	1500	1570	1645
Asst. Civil Defense Director I	805	841	880	921	962	1004	1052	1099
Asst. Civil Defense Director II	869	908	950	995	1039	1084	1136	1187
Asst. Civil Defense Director III	962	1004	1052	1099	1149	1203	1257	1315
	1039	1084	1136	1187	1241	1299	1358	1420
	1149	1203	1257	1315	1375	1434	1500	1570
	1241	1299	1358	1420	1485	1549	1620	1696

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Asst. Civil Defense	1375	1434	1500	1570	1645	1717	1795	1876
Director IV	1485	1549	1620	1696	1777	1854	1939	2026
Communications	1052	1099	1149	1203	1257	1315	1375	1434
Officer	1136	1187	1241	1299	1358	1420	1485	1549
County Civil Defense	1149	1203	1257	1315	1375	1434	1500	1570
Director I	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense	1315	1375	1434	1500	1570	1645	1717	1795
Director II	1420	1485	1549	1620	1696	1777	1854	1939
County Civil Defense	1500	1570	1645	1717	1795	1876	1960	2049
Director III	1620	1696	1777	1854	1939	2026	2117	2213
County Civil Defense	2144	2242	2344	2449	2565	2682	2804	2927
Director IV	2316	2421	2532	2645	2770	2897	3028	3161
Local Civil Defense	921	962	1004	1052	1099	1149	1203	1257
Director I	995	1039	1084	1136	1187	1241	1299	1358
Local Civil Defense	1052	1099	1149	1203	1257	1315	1375	1434
Director II	1136	1187	1241	1299	1358	1420	1485	1549
Local Civil Defense	1203	1257	1315	1375	1434	1500	1570	1645
Director III	1299	1358	1420	1485	1549	1620	1696	1777
Local Civil Defense	1500	1570	1645	1717	1795	1876	1960	2049
Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Local Civil Defense	2144	2242	2344	2449	2565	2682	2804	2927
Director V	2316	2421	2532	2645	2770	2897	3028	3161
Operations	1203	1257	1315	1375	1434	1500	1570	1645
Officer	1299	1358	1420	1485	1549	1620	1696	1777
Public Information	1203	1257	1315	1375	1434	1500	1570	1645
Officer	1299	1358	1420	1485	1549	1620	1696	1777
Radiological Defense	1052	1099	1149	1203	1257	1315	1375	1434
Officer	1136	1187	1241	1299	1358	1420	1485	1549
Safety Services	1203	1257	1315	1375	1434	1500	1570	1645
Coordinator	1299	1358	1420	1485	1549	1620	1696	1777

2. Plan B

a. Class of positions

	1	2	3	4	5	6	7	8
Administrative	1257	1315	1375	1434	1500	1570	1645	1717
Officer	1358	1420	1485	1549	1620	1696	1777	1854
Asst. Civil Defense	841	880	921	962	1004	1052	1099	1149
Director I	908	950	995	1039	1084	1136	1187	1241
Asst. Civil Defense	1004	1052	1099	1149	1203	1257	1315	1375
Director II	1084	1136	1187	1241	1299	1358	1420	1485
Asst. Civil Defense	1203	1257	1315	1375	1434	1500	1570	1645
Director III	1299	1358	1420	1485	1549	1620	1696	1777
Asst. Civil Defense	1434	1500	1570	1645	1717	1795	1876	1960
Director IV	1549	1620	1696	1777	1854	1939	2026	2117
Communications	1099	1149	1203	1257	1315	1375	1434	1500
Officer	1187	1241	1299	1358	1420	1485	1549	1620
County Civil Defense	1149	1203	1257	1315	1375	1434	1500	1570
Director I	1241	1299	1358	1420	1485	1549	1620	1696
County Civil Defense	1315	1375	1434	1500	1570	1645	1717	1795
Director II	1420	1485	1549	1620	1696	1777	1854	1939
County Civil Defense	1500	1570	1645	1717	1795	1876	1960	2049
Director III	1620	1696	1777	1854	1939	2026	2117	2213
County Civil Defense	2144	2242	2344	2449	2565	2682	2804	2927
Director IV	2316	2421	2532	2645	2770	2897	3028	3161
Local Civil Defense	921	962	1004	1052	1099	1149	1203	1257
Director I	995	1039	1084	1136	1187	1241	1299	1358

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Local Civil Defense Director II	1052	1099	1149	1203	1257	1315	1375	1434
Local Civil Defense Director III	1136	1187	1241	1299	1358	1420	1485	1549
Local Civil Defense Director IV	1203	1257	1315	1375	1434	1500	1570	1645
Local Civil Defense Director V	1299	1358	1420	1485	1549	1620	1696	1777
Operations Officer	1500	1570	1645	1717	1795	1876	1960	2049
Public Information Officer	1620	1696	1777	1854	1939	2026	2117	2213
Radiological Defense Officer	2144	2242	2344	2449	2565	2682	2804	2927
Safety Services Coordinator	2316	2421	2532	2645	2770	2897	3028	3161
	1257	1315	1375	1434	1500	1570	1645	1717
	1358	1420	1485	1549	1620	1696	1777	1854
	1099	1149	1203	1257	1315	1375	1434	1500
	1187	1241	1299	1358	1420	1485	1549	1620
	1257	1315	1375	1434	1500	1570	1645	1717
	1358	1420	1485	1549	1620	1696	1777	1854

3. Plan C
a. Class of positions

	1	2	3	4	5	6	7	8
Administrative Officer	1315	1375	1434	1500	1570	1645	1717	1795
Asst. Civil Defense Director I	1420	1485	1549	1620	1696	1777	1854	1939
Asst. Civil Defense Director II	880	921	962	1004	1052	1099	1149	1203
Asst. Civil Defense Director III	950	995	1039	1084	1136	1187	1241	1299
Asst. Civil Defense Director IV	1052	1099	1149	1203	1257	1315	1375	1434
Communications Officer	1136	1187	1241	1299	1358	1420	1485	1549
County Civil Defense Director I	1257	1315	1375	1434	1500	1570	1645	1717
County Civil Defense Director II	1358	1420	1485	1549	1620	1696	1777	1854
County Civil Defense Director III	1500	1570	1645	1717	1795	1876	1960	2049
County Civil Defense Director IV	1620	1696	1777	1854	1939	2026	2117	2213
Local Civil Defense Director I	1149	1203	1257	1315	1375	1434	1500	1570
Local Civil Defense Director II	1241	1299	1358	1420	1485	1549	1620	1696
Local Civil Defense Director III	1149	1203	1257	1315	1375	1434	1500	1570
Local Civil Defense Director IV	1241	1299	1358	1420	1485	1549	1620	1696
Local Civil Defense Director V	1149	1203	1257	1315	1375	1434	1500	1570
Operations Officer	1420	1485	1549	1620	1696	1777	1854	1939
Public Information Officer	1315	1375	1434	1500	1570	1645	1717	1795
Radiological Defense Officer	1420	1485	1549	1620	1696	1777	1854	1939
Safety Services Coordinator	1500	1570	1645	1717	1795	1876	1960	2049
Administrative Officer	1620	1696	1777	1854	1939	2026	2117	2213
Asst. Civil Defense Director I	2144	2242	2344	2449	2565	2682	2804	2927
Asst. Civil Defense Director II	2316	2421	2532	2645	2770	2897	3028	3161
Asst. Civil Defense Director III	921	962	1004	1052	1099	1149	1203	1257
Asst. Civil Defense Director IV	995	1039	1084	1136	1187	1241	1299	1358
County Civil Defense Director I	1052	1099	1149	1203	1257	1315	1375	1434
County Civil Defense Director II	1136	1187	1241	1299	1358	1420	1485	1549
County Civil Defense Director III	1203	1257	1315	1375	1434	1500	1570	1645
County Civil Defense Director IV	1299	1358	1420	1485	1549	1620	1696	1777
Local Civil Defense Director I	1500	1570	1645	1717	1795	1876	1960	2049
Local Civil Defense Director II	1620	1696	1777	1854	1939	2026	2117	2213
Local Civil Defense Director III	2144	2242	2344	2449	2565	2682	2804	2927
Local Civil Defense Director IV	2316	2421	2532	2645	2770	2897	3028	3161

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PROPOSED RULES

Operations	1315	1375	1434	1500	1570	1645	1717	1795
Officer	1420	1485	1549	1620	1696	1777	1854	1939
Public Information	1315	1375	1434	1500	1570	1645	1717	1795
Officer	1420	1485	1549	1620	1696	1777	1854	1939
Radiological Defense	1149	1203	1257	1315	1375	1434	1500	1570
Officer	1241	1299	1358	1420	1485	1549	1620	1696
Safety Services	1315	1375	1434	1500	1570	1645	1717	1795
Coordinator	1420	1485	1549	1620	1696	1777	1854	1939

B. Clerical

1. Plan A

a. Class of positions

	1	2	3	4	5	6	7	8	9
Clerk I	566	584	602	619	636	657	679	702	725
	616	645	676	704	734	766	801	839	
Clerk II	636	657	679	702	725	747	770	795	823
	704	734	766	801	839	877	917	959	
Clerk III	725	747	770	795	823	852	881	913	946
	784	821	857	895	937	982	1027	1073	
Clerk-Typist I	584	602	619	636	657	679	702	725	747
	645	676	704	734	766	801	839	877	
Clerk-Typist II	636	657	679	702	725	747	770	795	823
	704	734	766	801	839	877	917	959	
Clerk-Typist III	725	747	770	795	823	852	881	913	946
	784	821	857	895	937	982	1027	1073	
Clerk-Steno I	619	636	657	679	702	725	747	770	795
	676	704	734	766	801	839	877	917	
Clerk-Steno II	679	702	725	747	770	795	823	852	881
	766	801	839	877	917	959	1004	1049	
Clerk-Steno II	747	770	795	823	852	881	913	946	981
	821	857	895	937	982	1027	1073	1119	

2. Plan B

a. Class of positions

	1	2	3	4	5	6	7	8	9
Clerk I	584	602	619	636	657	679	702	725	747
	704	734	766	801	839	877	917		
Clerk II	657	679	702	725	747	770	795	823	852
	801	839	877	917	959	1004	1049		
Clerk III	747	770	795	823	852	881	913	946	981
	895	937	982	1027	1073	1119	1172		
Clerk-Typist I	602	619	636	657	679	702	725	747	770
	734	766	801	839	877	917	959		
Clerk-Typist II	657	679	702	725	747	770	795	823	852
	801	839	877	917	959	1004	1049		
Clerk-Typist III	747	770	795	823	852	881	913	946	981
	895	937	982	1027	1073	1119	1172		
Clerk-Steno I	636	657	679	702	725	747	770	795	823
	766	801	839	877	917	959	1004		
Clerk-Steno II	702	725	747	770	795	823	852	881	913
	877	917	959	1004	1049	1094	1147		
Clerk-Steno III	770	795	823	852	881	913	946	981	1015
	937	982	1027	1073	1119	1172	1223		

3. Plan C

a. Class of positions

	1	2	3	4	5	6	7	8	9
Clerk I	<u>602</u> <u>766</u>	<u>619</u> <u>801</u>	<u>636</u> <u>839</u>	<u>657</u> <u>877</u>	<u>679</u> <u>917</u>	<u>702</u> <u>959</u>	<u>725</u> <u>1004</u>	<u>747</u>	<u>770</u>
Clerk II	<u>679</u> <u>877</u>	<u>702</u> <u>917</u>	<u>725</u> <u>959</u>	<u>747</u> <u>1004</u>	<u>770</u> <u>1049</u>	<u>795</u> <u>1094</u>	<u>823</u> <u>1147</u>	<u>852</u>	<u>881</u>
Clerk III	<u>770</u> <u>982</u>	<u>795</u> <u>1027</u>	<u>823</u> <u>1073</u>	<u>852</u> <u>1119</u>	<u>881</u> <u>1172</u>	<u>913</u> <u>1223</u>	<u>946</u> <u>1281</u>	<u>981</u>	<u>1015</u>
Clerk-Typist I	<u>619</u> <u>801</u>	<u>636</u> <u>839</u>	<u>657</u> <u>877</u>	<u>679</u> <u>917</u>	<u>702</u> <u>959</u>	<u>725</u> <u>1004</u>	<u>747</u> <u>1049</u>	<u>770</u>	<u>795</u>
Clerk-Typist II	<u>679</u> <u>877</u>	<u>702</u> <u>917</u>	<u>725</u> <u>959</u>	<u>747</u> <u>1004</u>	<u>770</u> <u>1049</u>	<u>795</u> <u>1094</u>	<u>823</u> <u>1147</u>	<u>852</u>	<u>881</u>
Clerk-Typist III	<u>770</u> <u>982</u>	<u>795</u> <u>1027</u>	<u>823</u> <u>1073</u>	<u>852</u> <u>1119</u>	<u>881</u> <u>1172</u>	<u>913</u> <u>1223</u>	<u>946</u> <u>1281</u>	<u>981</u>	<u>1015</u>
Clerk-Steno I	<u>657</u> <u>839</u>	<u>670</u> <u>877</u>	<u>702</u> <u>917</u>	<u>725</u> <u>959</u>	<u>747</u> <u>1004</u>	<u>770</u> <u>1049</u>	<u>795</u> <u>1094</u>	<u>823</u>	<u>852</u>
Clerk-Steno II	<u>725</u> <u>959</u>	<u>747</u> <u>1004</u>	<u>770</u> <u>1049</u>	<u>795</u> <u>1094</u>	<u>823</u> <u>1147</u>	<u>852</u> <u>1198</u>	<u>881</u> <u>1252</u>	<u>913</u>	<u>946</u>
Clerk-Steno III	<u>795</u> <u>1027</u>	<u>823</u> <u>1073</u>	<u>852</u> <u>1119</u>	<u>881</u> <u>1172</u>	<u>913</u> <u>1223</u>	<u>946</u> <u>1281</u>	<u>981</u> <u>1340</u>	<u>1015</u>	<u>1052</u>

4. Plan D

a. Class of Positions

	1	2	3	4	5	6	7	8	9
Clerk I	<u>619</u>	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>
Clerk II	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>
Clerk III	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>
Clerk-Typist I	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>
Clerk-Typist II	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>
Clerk-Typist III	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>
Clerk-Steno I	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>
Clerk-Steno II	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>
Clerk-Steno III	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>	<u>1092</u>

5. Plan E

a. Class of Positions

	1	2	3	4	5	6	7	8
Clerk I	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>
Clerk II	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>
Clerk III	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>	<u>1092</u>
Clerk-Typist I	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>
Clerk-Typist II	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>
Clerk-Typist III	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>	<u>1092</u>
Clerk-Steno I	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>
Clerk-Steno II	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>
Clerk-Steno III	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>	<u>1092</u>	<u>1132</u>

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PROPOSED RULES

6. Plan F

a. Class of Positions

	1	2	3	4	5	6	7	8
Clerk I	702	725	747	770	795	823	852	881
Clerk II	770	795	823	852	881	913	946	981
Clerk III	881	913	946	981	1015	1052	1092	1132
Clerk-Typist I	725	747	770	795	823	852	881	913
Clerk-Typist II	770	795	823	852	881	913	946	981
Clerk-Typist III	881	913	946	981	1015	1052	1092	1132
Clerk-Steno I	747	770	795	823	852	881	913	946
Clerk-Steno II	823	852	881	913	946	981	1015	1052
Clerk-Steno III	913	946	981	1015	1052	1092	1132	1174

11 MCAR § 1.2141 Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

A. Salary Conversion Tables.

1. The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 11 MCAR § ~~1.140~~ 1.2140. For those salary rates, the supervisor shall calculate hourly, daily and payroll period salaries for each of the salary rates listed. This table shall be based on an 8 eight-hour day, 40-hour week and 2088-hour year. Agencies with a normal work schedule which varies from an 8 eight-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table as provided for in 11 MCAR § ~~1.116 B.1.e.~~ 1.2094 F.2.c. or in 11 MCAR S ~~1.117~~ 1.2117 B.2.

Repealer. Rules 11 MCAR § 1.2116, 1.2125, 1.2126, 1.2127, 1.2129, and 1.2130 are repealed.

Department of Public Welfare Merit System

Proposed Rule and Amendments of Existing Rules Governing Definitions; Statement of Policy and Means of Effecting Policy; Organization; Classification Plan; Compensation Plan; Examinations; Certification of Eligibles; Probationary Period; Separation, Tenure and Reinstatement; Leaves of Absence; Appeals and Hearings; Salary Adjustments and Increases; Salary Computation Provisions for Full and Part-time Employment; Appointments, Demotions, Transfers and Reinstatements; and Provisions for Computing Monthly, Hourly, Less-than-full-time, Bi-weekly, and Four-week Salary Rates

Notice of Hearing

A public hearing concerning the above-entitled matter will be held in the Centennial Office Building, Room A, 658 Cedar Street, St. Paul, Minnesota, on December 3, 1981, commencing at 9:30 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed rule and proposed amendments of existing rules may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the above entitled matter, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Peter Erickson, Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, Minnesota, 55104 (612)296-8118 either before the hearing or within five working days after the public hearing ends. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

Notice is hereby given that 25 days prior to the hearing, a statement of need and reasonableness will be available for review at the agency and at the Office of Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

Several minor revisions to the above rules are proposed involving the re-lettering and/or re-numbering of certain provisions, correcting typographical errors, grammatical changes to improve clarity and to correct certain rule and statutory references.

A summary of major proposed revisions to the rules is as follows:

Proposed revisions to 12 MCAR § 2.490 provide definitions for six new terms: "layoff list," "reemployment list," "reclassification," "change in allocation," "reallocation" and "salary increase."

Proposed revisions to 12 MCAR § 2.491 provide new language allowing for the application of fiscal sanctions to appointing authorities for noncompliance with the rules and appeal from such sanctions to the merit system council.

Proposed revisions to 12 MCAR § 2.492 correct rule references to the state civil service act and the Department of Civil Service and provide an additional responsibility for the merit system supervisor of proposing amendments to merit system rules.

Proposed revisions to 12 MCAR § 2.493 remove the classification plan from the rules and provides for publishing them in the Public Welfare Merit System Manual; eliminate the section of the rule allowing amendments to the classification plan for up to six months without a public hearing in emergency situations; provide for incumbents of positions that are reclassified by reallocation to be promoted without examination.

Proposed revisions to 12 MCAR § 2.494 reword those sections involving the preparation and adoption of a compensation plan by the commissioner and the selection of salary ranges by an appointing authority; raise the allowable maximum percentage increase on cost-of-living salary adjustments from 8% to 9%; provide new language governing appointments above the minimum rate of pay; allow employees to receive a lump-sum general salary adjustment under certain circumstances; provide new language allowing salary increases to be granted under unusual employment conditions; provide a recommended general salary adjustment of 8% for all merit system employees effective January 1, 1982; allow an employee whose salary is at or above the maximum of their range to receive a one-step merit increase in the form of a lump-sum payment; provide for salary increases for work out of class assignments and incorporates current language from 12 MCAR § 2.516.

Proposed revisions to 12 MCAR § 2.496 include new language allowing the supervisor to determine the content of all examination processes; provide for disqualification of applicants who cheat on examinations or falsify their identification; eliminate investigation by the merit system of an applicant's training and experience; allow the supervisor to establish examination passing points and eliminate current language referring to special written tests.

Proposed revisions to 12 MCAR § 2.498 remove the merit system council for involvement with selective certification requests; provide for the certification of names from the reemployment list as extra names; clarify eligibility for appointment of certified eligibles.

Proposed revisions to 12 MCAR § 2.500 clarify the duration of the probationary period; provide for unpaid leaves of short duration not affecting the duration of the probationary period; eliminate investigation by the supervisor of validity of requests to extend the probationary period.

Proposed revisions to 12 MCAR § 2.503 define suspensions not appealable to the merit system council.

Proposed revisions to 12 MCAR § 2.504 clarify employees who shall and shall not accrue vacation leave; provide for accrual of vacation leave by part-time employees; allow for transfer of vacation leave from one agency to another under certain circumstances; allow for reinstatement of previously accrued sick leave for former employees who are reemployed; allow for transfer of sick leave between appointing authorities; provide for accrual of sick leave by part-time employees; define eligibility for holiday pay; provide for pro-rated holiday pay for part-time and intermittent employees; provides that the holidays occurring during an employee's paid vacation or sick leave period shall not be charged to vacation or sick leave.

Proposed revisions to 12 MCAR § 2.508 strike current language entirely; provide new language governing appeals and hearings; renumber the rule; provide new language for possible resolution of appeals by the supervisor prior to consideration by

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the council; insert new language providing that actions appealed under a collective bargaining agreement may not also be appealed to the council; new language preserves all appealable actions contained in old language.

Proposed revisions to 12 MCAR § 2.516 repeal all of the old language in this rule and incorporate it as part of 12 MCAR § 2.494.

Proposed revisions to 12 MCAR § 2.517 change rule references.

Proposed revisions to 12 MCAR § 2.518 clarify salaries for employees who are demoted; limit salary increases for employees transferring between appointing authorities; allow former employees who are reemployed to receive their previous salary upon reemployment.

Proposed revisions to 12 MCAR § 2.840 provide for a general upgrading of salary ranges for most of the classes by 8%, with some exceptions; reduce the number of clerical salary plans from six to three and increase intervals between salary steps for clerical classes to the equivalent of that provided for professional and support classes.

Proposed amendments to 12 MCAR § 2.841 corrects a rule reference only.

Proposed revisions to current rules which alter and in some cases retitle existing position classification specifications are 12 MCAR § 2.720 for Fiscal Officer (presently Accounting Officer I); 12 MCAR § 2.721 for Fiscal Supervisor I (presently Accounting Officer II); 12 MCAR § 2.722 for Fiscal Supervisor II (presently Accounting Officer III); 12 MCAR § 2.723 for Fiscal Supervisor III (presently Accounting I); 12 MCAR § 2.724 for Fiscal Supervisor IV (presently Accounting II); 12 MCAR § 2.623 for Financial Assistance Specialist; 12 MCAR § 2.578 for Financial Assistance Supervisor I; 12 MCAR § 2.579 for Financial Assistance Supervisor II; 12 MCAR § 2.590 for Financial Assistance Supervisor III and 12 MCAR § 2.591 for Financial Assistance Supervisor IV. These revisions are proposed to reflect more descriptive class titles and to update current classification specifications including minimum qualifications for such classification. A proposed rule creating a new classification is 12 MCAR § 2.729 for Accounting Technician. This class is being proposed in response to a perceived need within the fiscal organizations of several county welfare and human service agencies.

In view of proposed amendments to 12 MCAR § 2.493 removing the classification plan from the rules, it is proposed to repeal 12 MCAR § 2.530-2.804, consisting of the class specifications for all Public Welfare Merit System classifications.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. § 256.012.

The proposed rule changes affecting salary increases for employees will result in approximately \$132,518 increased county expenditures in 1982.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Ralph Corey, Department of Public Welfare, Centennial Building, St. Paul, MN 55155, telephone (612)296-3996. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule and rule amendments, contact Ralph Corey.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, 1979 supp., as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

October 20, 1981

Arthur E. Noot
Commissioner of Public Welfare

Rules as Proposed**12 MCAR § 2.490 Definitions.**

A. The following definitions apply ~~throughout these rules,~~ to 12 MCAR §§ 2.490-2.841 unless the context clearly requires another meaning.

1. Allocation. "Allocation" means the ~~original~~ assignment of a position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work performed in the position.

2. Appointing authority. "Appointing authority" means the county board, county welfare board, human service board or officer authorized by statute or lawfully delegated authority to make appointments to positions under the Merit System.

3. Board. "Board" means the county board, county welfare board, or human service board.

4. Change in allocation. "Change in allocation" means the reclassification of a position resulting from significant sudden changes imposed by the appointing authority affecting the duties and responsibilities of a position.

5. Class. "Class" means one or more positions sufficiently similar in the duties performed; degree of supervision exercised or required minimum requirements of training, experience, or skill; and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied with equity to all of the positions.

~~5-~~ 6. Commissioner. "Commissioner" or "Commissioner of Public Welfare" means the administrative head of the Department of Public Welfare.

~~6-~~ 7. Council. "Council" means the Merit System Council.

~~7-~~ 8. County agency. "County agency" means the organization created by the county board, county welfare board or the human service board to carry out the functions and policies of the board with regard to community social service or income maintenance programs funded in whole or in part by federal grants-in-aid requiring a merit system of personnel administration.

~~8-~~ 9. County register. "County register" means the sub-register established for a county from a statewide register, ~~either~~ competitive or promotional, register containing the names of persons who have legal residence in the county or, in the event of a promotional examination, who are employed by the county agency.

10. County welfare board. "County welfare board" means the county welfare board, county board or human service board.

~~9-~~ 11. Day. "Day" means a calendar day except when otherwise specified in the specific rule.

~~10-~~ 12. Demotion. "Demotion" means a change by an employee from a position in one class to a position in another class with less responsible duties and a lower salary range.

~~11-~~ 13. Disabled veteran. "Disabled veteran" means a veteran who is rated or certified as disabled, in accordance with the provisions of Minn. Stat. ~~43.30~~ § 43A.11.

~~12-~~ 14. Dismissal. "Dismissal" means the termination of employment ~~of an employee~~ for cause.

~~13-~~ 15. Eligible. "Eligible" means any person whose name is on ~~the~~ a register.

~~14-~~ 16. Emergency employee. "Emergency employee" means an employee who was appointed to perform certain duties when an emergency situation exists.

~~15-~~ 17. Employee. "Employee" means any person in the employ of a county board, county welfare board, or human services board, exclusive of its members, who occupies a position covered by ~~these rules~~ 12 MCAR §§ 2.490-2.841 and who is paid a salary or wage.

~~16-~~ 18. Exclusive representative. "Exclusive representative" has the meaning given in Minn. Stat. § 179.63, subd. 6.

~~17-~~ 19. Facsimile. "Facsimile" means a replica, ~~e.g.,~~ A facsimile of 12 MCAR § 2.841 is a chart showing each of the salary rates adopted by an agency divided into monthly and hourly rates and either daily rates and bi-weekly rates or four-week rates if paid on this basis or the daily rate based on the number of working days in the month—20, 21, 22, or 23 days if paid on a monthly basis.

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~~18-~~ 20. General adjustment. "General adjustment" means the merit system recommended salary adjustment based on ~~the annual~~ a salary survey or a review of consumer price index changes.

~~19-~~ 21. Intermittent employee. "Intermittent employee" means an employee who works whenever needed or on a schedule that cannot be predicted in advance.

~~20-~~ 22. Layoff. "Layoff" means the termination of employment because of ~~shortage~~ abolishment of a position, lack of funds or curtailment of service, shortage of work, or other reason beyond the control of the employee.

23. Layoff list. "Layoff list" means a list of permanent or probationary employees who have been laid off by reason of abolishment of their positions, lack of funds, shortage of work, or other reason beyond the control of the employee.

~~21-~~ 24. Merit increase. "Merit increase" means a ~~salary~~ an increase given to an ~~individual~~ employee based on meritorious job performance.

~~22-~~ 25. Military leave. "Military leave" means ~~the~~ a leave of absence granted by ~~the~~ state law to employees entering active duty in the armed forces of the State of Minnesota or of the United States of America.

~~23-~~ 26. Minimum qualifications. "Minimum qualifications" means the requirements of training and experience necessary to qualify for a given class.

~~24-~~ 27. Original appointment. "Original appointment" means the date of initial entry to probationary status normally through appointment from an open-competitive list.

~~25-~~ 28. Overtime. "Overtime" means hours worked in excess of a normal work shift or beyond a normal work week.

~~26-~~ 29. Permanent employee. "Permanent employee" means ~~any~~ an employee who has successfully completed ~~his/her~~ a probationary period or who has attained permanent status upon the installation of the Merit System.

~~27-~~ 30. Position. "Position" means a group of current duties and responsibilities assigned or delegated by competent authority requiring the full-time or part-time employment of one ~~position~~ person.

~~28-~~ 31. Probationary employee. "Probationary employee" means an employee who is serving a probationary period in a class to which ~~they have~~ the employee has been appointed from an eligible list.

~~29-~~ 32. Probationary period. "Probationary period" means the six-month working trial period during which a new employee is required to demonstrate ~~his~~ the employee's fitness for the position to which ~~he~~ the employee is appointed by actual performance of the duties of the position.

~~30-~~ 33. Promotion. "Promotion" means a change of an employee from a position in one class to a position in another class with more responsible duties and a higher salary range.

~~31-~~ 34. Provisional employee. "Provisional employee" means an employee who meets the minimum qualifications for the position but who has been appointed to a position without having been appointed from an eligible register.

~~32-~~ 35. Reallocation. "Reallocation" means ~~a reassignment, or change in allocation, of a position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level, on the basis of significant changes in the kind, difficulty, or responsibility to the work performed in the position~~ the reclassification of a position resulting from significant changes in the duties and responsibilities of the position that occur gradually over a period of time.

36. Reclassification. "Reclassification" means a reallocation or change in allocation of a position to a higher, lower, or equivalent class.

37. Reemployment list. "Reemployment list" means a list of former permanent or probationary employees who have been laid off and the names of former permanent or probationary employees who have voluntarily separated from Merit System employment in good standing and whose applications for reemployment in the Merit System are submitted within one year of separation.

~~33-~~ 38. Register. "Register" means an officially established list of eligibles for a particular class.

~~34-~~ 39. Resignation. "Resignation" means the termination of employment made at the request of the employee.

~~35-~~ 40. Salary adjustment. "Salary adjustment" means an increase given to employees due to cost-of-living factors, going rates for similar jobs, ~~and/or~~ or labor market conditions.

41. Salary increase. "Salary increase" means an increase granted to an employee on the basis of working out of class or due to unusual employment conditions and not based on job performance, cost-of-living factors, going rates for similar jobs or labor market conditions.

~~36-~~ 42. State agency. "State agency" means the State Department of Public Welfare.

~~37-~~ 43. Supervisor. "Supervisor" means the Merit System supervisor.

~~38-~~ 44. Suspension. "Suspension" means an enforced leave of absence with or without pay, for disciplinary purposes or pending investigation of charges made against an employee.

~~39-~~ 45. Temporary employee. "Temporary employee" means an employee who has been appointed to a position from an eligible register but the appointment has a definite ending date.

~~40-~~ 46. Transfer. "Transfer" means the movement of an employee from one position to another in the same class or in another class having the same salary range and usually involving the performance of similar duties and requiring essentially the same qualifications of training and experience.

~~41-~~ 47. Veteran. "Veteran" means every person defined as a veteran by Minnesota Statutes, Section Minn. Stat. § 197.46.

~~42-~~ 48. Veterans preference. "Veterans preference" means preference granted to veterans by Minnesota Statutes, Section 43.30 Minn. Stat. § 43A.11.

~~43-~~ "County welfare board" means the county welfare board, county board or human service board.

12 MCAR § 2.491 Statement of policy and means of effecting policy.

A. Objectives.

It is the aim of the Department of Public Welfare of the State of Minnesota, through the establishment of the County Welfare Merit System, to provide ~~county welfare boards~~ appointing authorities with an effective system of personnel administration based on merit principles. Specific objectives are:

- ~~a-~~ 1. Economy and effective service in the Minnesota welfare and human services program;
- ~~b-~~ 2. The proper classification of positions so that positions essentially alike in duties and responsibilities are treated alike and positions not so alike are treated with due consideration to the nature and extent of the differences between them;
- ~~c-~~ 3. Fair and equal opportunity for all qualified persons to compete for positions and promotions under the jurisdiction of the Merit System solely on the basis of merit and fitness as ascertained through practical examinations;
- ~~d-~~ 4. Equitable pay scales for the various classes established on the basis of equal pay for equal work; and
- ~~e-~~ 5. An attractive career service in public welfare and human services employment within the State of Minnesota.

B. Adoption and amendment of the rules.

1. Statutory authority. In order to accomplish the objectives stated in ~~12 MCAR § 2.091 A.1,~~ these rules 12 MCAR §§ 2.490-2.841 have been promulgated by the Commissioner of Public Welfare in accordance with Minnesota Statutes, Section 245.42, Minn. Stat. §§ 256.01 (4), subd. 4, 256.012, and 393.07 (5), subd. 5, and in compliance with Minnesota Statutes, Chapter Minn. Stat. ch. 15.

2. Procedures. The Commissioner of Public Welfare, with the ~~advice~~ advice and recommendations of the council, may amend ~~these rules 12 MCAR §§ 2.490-2.841~~ after compliance with the provisions of Minnesota Statutes, Chapter Minn. Stat. ch. 15.

E. Violations.

1. By employees. Violations of any of the provisions of ~~these rules 12 MCAR §§ 2.490-2.841~~ by an employee in the service shall be considered sufficient cause for the dismissal of ~~such persons~~ that employee.

2. By an appointing authority. Violations of 12 MCAR §§ 2.490-2.841 by an appointing authority shall be brought to the attention of the appointing authority by the supervisor. The notice shall include remedial measures necessary to correct past violations and to ensure future compliance. If the appointing authority refuses to take corrective action, the supervisor shall inform the commissioner who shall take appropriate action, including but not limited to denial or suspension of all or part of state and federal administrative reimbursement funds.

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3. Appeals. An appointing authority may appeal any denial or suspension of administrative reimbursement to the Merit System Council which shall make its recommendation to the commissioner. The commissioner's decision shall be final.

F. Political activity.

4. An employee continues to be covered by the Federal Hatch Act restrictions including all restrictions listed in ~~12 MCAR § 2.091 F.1. through 5. 1.-5.~~ while on annual leave, sick leave, leave without pay or administrative leave. Any employee shall resign from the service upon filing as a candidate for public office, except as provided in ~~12 MCAR § 2.091 F.5.~~

5. Any employee may be a candidate in nonpartisan elections. These are elections in which none of the candidates is to be nominated or elected as representing a political party whose candidates for presidential election received votes as in the last ~~preceding~~ presidential election.

G. Prohibition against discrimination.

1. In general. No person shall be discriminated for or against in ~~such matters as~~ his recruitment, examination, appointment, tenure, compensation, classification, or promotion or in ~~such matters as~~ conditions, facilities, or privileges of employment because of his race, color, creed, religion, national origin, physical disability (when such disability does not interfere with the completion of assigned duties), age, or sex. Any person aggrieved by a violation of ~~the above these~~ prohibitions may file a complaint under the provisions of ~~the Minnesota State Act Against Discrimination, Chapter Minn. Stat. ch. 363 of Minnesota Statutes.~~

2. Political opinions. No person shall be discriminated for or against as provided in ~~12 MCAR § 2.491 C.1.~~ because of his political opinions or affiliations within the limitations imposed by ~~12 MCAR § 2.491 F. of these rules, or~~ nor shall discrimination occur because of any other non-merit factor. Any person aggrieved by a violation of a prohibited discrimination that does not come within the jurisdiction of ~~Chapter 363 of Minnesota Statutes~~ Minn. Stat. ch. 363 may file a complaint with the Merit System supervisor, setting forth the basis for his belief that an act or threat or promise of an act of discrimination occurred and identifying by name and position the person alleged to have committed ~~such the~~ act or threat or promise of an act of discrimination.

3. Investigations. The supervisor ~~of or~~ his designated representative shall conduct an investigation ~~of~~ of the alleged discrimination and shall report the complaint and the findings of the investigation to the Merit System Council at its next meeting. The complainant shall have the right to present his complaint personally to the council. The council shall order any further investigation or hearing as may be warranted preliminary prior to making its decision. If the council finds that discrimination has occurred, it shall take whatever action it deems warranted and within its authority to remedy the effect of any act or threat or promise of an act of discrimination and to prevent discrimination.

12 MCAR § 2.492 Organization.

A. Duties and powers of the commissioner.

~~+~~ The Commissioner of Public Welfare shall have authority to require ~~such~~ methods of administration ~~as~~ which are necessary for compliance with requirements of the Federal Social Security Act, as amended, and for the proper and efficient operation of all welfare programs. The adoption of methods relating to the establishment and maintenance of personnel standards on a merit basis ~~of~~ for all ~~such~~ employees of the ~~county welfare boards~~ in positions covered by 12 MCAR §§ 2.490-2.841 and the examination thereof, and the administration thereof, shall be directed and controlled exclusively by the Commissioner of Public Welfare (~~see pursuant to Minn. Stat. Sect. §§ 256.012 and 393.07~~). Nevertheless, the Commissioner of Public Welfare shall exercise no authority in the selection, tenure of office, and compensation of a specific individual employed in accordance with ~~such~~ these methods.

B. Organization of the Merit System Council.

1. The Merit System Council members shall be appointed by the Governor from a panel of names submitted by the Commissioner of Public Welfare. The council shall be composed of three members who shall be public-spirited persons of recognized standing and of known interest in the improvement of public administration and in the impartial selection of efficient government personnel. No member shall have held political office or have been an officer in a political organization during the year preceding his appointment, nor shall he hold such office during his term. No member of the council shall have been an employee of the state agency or an employee or member of a ~~county welfare board~~ an appointing authority within one year prior to his appointment.

4. The supervisor shall serve as Secretary of the Council. The supervisor shall keep a calendar of all business to be transacted at each meeting, issue notices of regular and special meetings, present to the council all matters that require consideration by the council, keep records and files of the council and minutes, and handle other matters as the council may

direct or circumstances indicate as necessary and proper in order to facilitate and give effect to the actions of the council ~~with~~ within the scope of its powers and duties.

D. Duties of the Merit System Council.

~~+~~ It shall be the duty of the council within the scope of ~~these rules~~ 12 MCAR §§ 2.490-2.841;

~~a-~~ 1. To establish general policies for the administration of merit examinations and the hearing of personnel appeals as provided in 12 MCAR § ~~2.508~~ 2.5081;

~~b-~~ 2. To hear such appeals or to appoint an appeal board of three members or to appoint a referee to hear such appeals on its behalf;

~~c-~~ 3. To consult with the Commissioner of Public Welfare about the appointment of a full-time Merit System supervisor;

~~d-~~ 4. To consult with the supervisor in formulating ~~procedure~~ procedures for the purpose of ensuring conformity with the rules and the policies of the council.

~~e-~~ 5. To review the classification and compensation plans and to make recommendations to the commissioner about their adoption and subsequent revision;

~~f-~~ 6. To make recommendations to the commissioner about internal personnel policies to ensure conformity with the rules;

~~g-~~ 7. To promote public understanding of the purposes, policies, and practices of the Merit System; and

~~h-~~ 8. To review and make ~~written~~ recommendations to the commissioner about any amendments to the rules of the Merit System.

E. Compensation of council members.

~~+~~ Each member of the council shall be paid \$50 per regular meeting, but no member shall be paid more than \$600 in any one calendar year for regular meetings. Each member of the council shall be paid \$50 per day when serving on an appeal or hearing board. In addition, members whose residence is in excess of 50 miles from the place of meeting shall be compensated for travel expenses and, in an instance in which the meeting is scheduled for more than one day or when the tour of the beginning of the meeting, or the close of the meeting, does not allow coming from or returning to the place of residence within a reasonable time, for lodging and meals.

F. Appointment of the Merit System Supervisor.

~~+~~ The commissioner, after consultation with the council, shall appoint a Merit System Supervisor in accordance with ~~the Minnesota Civil Service Act~~ Minn. Stat. ch. 43A, and the rules ~~and regulations~~ of the ~~Department of Civil Service~~ Minnesota Department of Employee Relations. The supervisor shall be a person who has had training and experience in a field related to merit system administration and who has known sympathies with the merit principle in government service and shall possess such other qualifications as are requisite for the performance of the duties ~~hereinafter~~ defined in G. Within three years prior to appointment, the supervisor shall not have held, nor during the term of office shall the supervisor hold, political office or office in any political organization.

G. Duties of the supervisor.

~~+~~ In conformance with ~~these rules~~ 12 MCAR §§ 2.490-2.841, it shall be the duty of the supervisor to:

~~a-~~ 1. ~~To~~ Develop and put into continuous effect policies and procedures for the administration of the Merit System program as they relate to the preparation, administration, and scoring of examinations; the preparation, custody, and maintenance of registers of eligibles; the determination of availability to eligibles for appointment; the certification for appointment; and the determination of the adequacy of existing registers.

~~b-~~ 2. ~~To~~ Develop the classification and compensation plans and ~~to~~ consult with the council on the adoption and revision of such plans as they relate to the Merit System program of recruitment and examination.

~~c-~~ 3. ~~To~~ Promote public understanding of purposes, policies, and practices of the Merit System program.

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~~4. To~~ Appoint staff members, including technicians, clerks, stenographers, and ~~such~~ other permanent or temporary employees ~~as~~ who are necessary to carry out the provisions of ~~these rules~~ 12 MCAR §§ 2.490-2.841. ~~Such~~ Employees shall be chosen in accordance with the provisions of the ~~State Civil Service~~ Minnesota Department of Employee Relations rules and regulations.

5. Review, develop and propose amendments to existing Merit System rules for consideration and recommendation by the Merit System council and in accordance with the provisions of Minn. Stat. ch. 15.

~~e. 6. To~~ Perform ~~such~~ other duties ~~as~~ which are prescribed by ~~these rules~~ 12 MCAR §§ 2.490-2.841.

12 MCAR § 2.493 Classification plan.

A. Preparation and adoption.

1. Commissioner's duty. The Commissioner of Public Welfare shall formally adopt and make effective a comprehensive classification plan for all positions covered by 12 MCAR §§ 2.490-2.841 which shall be published as part of the Public Welfare Merit System Manual. The plan shall be based on investigation and analysis of the duties and responsibilities of each position, and each position shall be allocated to its proper class in the classification plan. The plan shall be developed after consultation with supervisory officials, classification specialists, and persons technically familiar with the character of the work. When complete, the classification plan shall include for each class of positions an appropriate class title, a description of the duties and responsibilities, and the minimum requirements of training, experience, and other qualifications.

2. Review by council. The proposed classification plan, and any changes therein, shall be submitted to the Merit System council for review and recommendations. ~~Upon such~~ After that review and recommendation and upon formal adoption by the Commissioner of Public Welfare, the classification plan shall be the official plan for all positions. Class titles established by the adoption of the classification plan shall be used in all personnel and financial records of the Department of Public Welfare and ~~the County Welfare or Human Service Boards~~ appointing authorities, as well as in all examination procedures.

B. Allocation of positions.

~~4.~~ Every position under the ~~County Welfare or Human Service Boards~~ jurisdiction of an appointing authority shall be allocated by the supervisor to one of the appropriate classes established by the classification plan. No person shall be appointed or promoted to any position until it has been properly classified as herein provided. As additional classes are established or existing classes are abolished or changed, ~~such~~ the necessary ~~allocation~~ allocations or reallocation reallocations shall be made by the supervisor to new or existing classes as ~~is necessitated thereby~~ necessary.

C. Revision of plan.

~~4.~~ Existing classes may be abolished or changed, or new classes added, in the same manner as the classification plan is originally adopted.

~~2. In the event of an emergency, the Merit System Council may approve a new or revised class specification for a period not to exceed six months, without the official public hearing. In no case will an emergency class specification last more than six months after the date of approval by the Merit System Council.~~

D. Incumbents of ~~reallocated~~ reclassified positions.

1. Appointment authorized. When a position is reclassified and it is determined to be a reallocation resulting from a significant change in the duties and responsibilities of the position occurring gradually over a period of time, the supervisor may authorize an appointing authority to promote the incumbent of the reallocated position. An employee promoted in accordance with this provision shall serve a probationary period in the higher class.

2. Eligibility. When a position in one class is reallocated to a different class, is reclassified resulting from a change in allocation the incumbent shall not be ~~deemed~~ eligible to continue in this the position except as provided in ~~12 MCAR § 2.493 D.2.~~ 3. or unless he ~~would have been~~ is eligible for original appointment, promotion, transfer, or demotion to the new class of positions. If he is ineligible to continue in such a position, he may be transferred, promoted, or demoted by appropriate action of the appointing authority in accordance with ~~such~~ the applicable provisions of ~~these rules as may be deemed to be applicable~~ 12 MCAR §§ 490-2.841. If ineligibility of a permanent or probationary incumbent of ~~such a reallocated~~ reclassified position arises from the existence of an eligible register established from an examination that the incumbent did not take, he may be permitted to take the same or equivalent examination from which the existing register was established, providing that his name is not on the existing registers, he did not take and fail the examination from which the existing register was established, and he was eligible to take the examination at the time it was given. The names of successful candidates examined under this rule shall be placed on the existing register in accordance with the score attained. In any case in which the incumbent is ineligible to continue

in the position and he is not transferred, promoted, or demoted, the provisions of these rules about layoff shall apply. Any transfer, promotion, demotion or layoff in accordance with ~~such those~~ provisions of these rules must occur within ~~sixty~~ 60 days of the notification of ~~reallocation~~ reclassification of the position.

~~2-~~ 3. Change in agency size. If a position is ~~reallocated~~ reclassified as a direct result of the change in size of the employing agency without change in duties and functions, an incumbent with permanent or probationary status in the lower class shall be permitted to take a non-competitive qualifying examination without regard to the qualifications for the class. An incumbent whose name is on a competitive promotional register for the higher class may be certified to the position regardless of the relative ranks of other candidates on the eligible register.

~~3-~~ 4. Equivalent duties. The Commissioner of Public Welfare may authorize the ~~reallocation~~ reclassification of a position from one classification to a higher designated classification when the duties to be performed in the higher class are not significantly different from those performed in the lower class and where both classifications are in the same occupational grouping. Incumbents of positions so ~~reallocated~~ reclassified must meet the specified minimum qualifications for the higher designated class and promotions shall be made following a non-competitive promotional examination which shall include an evaluation by the appointing authority of the incumbents' ability to perform in the higher class.

5. Incumbent appointed after exam. If the incumbent examined in accordance with ~~the above procedure~~ 4. successfully completes the examination process, ~~notwithstanding the provisions of 12 MCAR § 2.498 C.2.,~~ the supervisor may certify only the name of the eligible incumbent to the appointing authority.

6. Probation prohibited. Notwithstanding the provisions of 12 MCAR § 2.500 B.1.a., an employee appointed under ~~the provision of this rule~~ will 5. shall not be required to serve a new probationary period in the higher classification.

12 MCAR § 2.494 Compensation plan.

A. Preparation and adoption.

1. Preparation of plan. In accordance with Minn. Stat. ch. 15, the commissioner shall formally adopt and make effective a comprehensive compensation plan, ~~(12 MCAR § 2.840),~~ for all classes of positions which shall apply to all agencies covered by the Merit System except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or in those ~~limited~~ instances where the requirements of ~~12 MCAR § 2.516 B.1.e.~~ F.2.c. have been satisfied. The plan shall include salary schedules for the various classes, with the salary of each class consistent with the functions outlined in the class specifications. Initial Minimum, intervening, and maximum rates of pay for each class shall be established to provide for steps in salary advancement without change in duty, in the recognition of meritorious service. The advice and suggestions of appointing authorities, prevailing salary rates in other county departments for similar and competing types of employment in business and government, and other relevant factors shall be taken into consideration in arriving at such developing the salary schedules.

2. Review by council. The proposed compensation plan, and any ~~changes therein~~ amendments to it, shall be submitted to the Merit System Council for review and recommendation. Upon ~~such~~ review and recommendation by the council and upon formal adoption by after compliance with the provisions of Minn. Stat. ch. 15, the commissioner, ~~shall formally adopt the compensation which shall be the official salary schedule of the Minnesota Merit System, effective the date specified.~~

3. Salary ranges for all class of positions on the official salary schedule of the Minnesota Merit System shall be amended in the same manner as originally adopted. Salary Plans. The comprehensive compensation plan adopted by the commissioner shall provide for separate alphabetically designated salary plans for different occupational groupings of classes reflecting progressively higher salary ranges except for those classes where a single range of rates is found to be appropriate. Plans shall be established as provided in 12 MCAR § 2.840 as follows:

- a. Professional—A, B and C;
- b. Support Personnel—A, B and C;
- c. Clerical—A, B and C;
- d. Maintenance and Trades—A and B.

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B. Selection of salary ranges by appointing authority.

1. ~~The appointing authority shall select a salary plan for all employees 1) except those in a bargaining unit where a salary schedule has been negotiated by the board and the exclusive representative, and 2) except as provided in 12 MCAR § 2.494 B.6. Such plan shall be selected from each of the following salary schedules provided under 12 MCAR § 2.840:~~

~~Professional—A, B, and C;~~

~~Support Personnel—A, B, and C;~~

~~Clerical—A, B, C, D, E, and F;~~

~~Maintenance and Trades—A and B.~~

~~2. Such rates shall be identified by alphabetical designation, and adjustment of the plan as provided in 12 MCAR § 2.494 D. shall not serve to amend the alphabetically designated rates selected as the appointing authority's plan.~~

~~3. The designation of the rates selected from the plan in each case shall be by resolution of the appointing authority. Supervisor shall be promptly notified of the rates selected by each jurisdiction.~~

~~4. The alphabetically designated rates selected by the appointing authority shall become the official plan for the county until amended by the appointing authority as provided in 12 MCAR § 2.494 E.~~

~~5. Salary rates for incumbents of positions shall be established in accordance with the provisions of 12 MCAR § 2.516 B.1. and 12 MCAR § 2.516 B.2. on the basis of the plan adopted by the appointing authority as provided above. Adoption of official plan. Appointing authorities shall choose, by resolution, a salary plan for each occupational grouping of classes from among the plans listed in A.3. except when salaries are negotiated with an exclusive representative or the provisions of 5. are applicable. The plans adopted shall become the official plans for the appointing authority until amended.~~

2. Selection of rates. Within the minimum and maximum salaries for classes in the adopted plans, appointing authorities shall designate, by resolution, the minimum, intervening and maximum salary rates to be paid for each class of positions used by the appointing authority. The supervisor shall be promptly notified of the rates selected by each appointing authority.

3. Plan amendments. The appointing authority may amend, by resolution, its official plan for one or more occupational groupings of classes. The supervisor shall be promptly notified of the official action taken by the appointing authority to amend its plan.

4. Incumbents. Salary rates for incumbents of positions shall be established in accordance with the provisions of F.2. and 3. on the basis of the plan adopted by the appointing authority as provided in A.3.

6. 5. Nonrepresented employees. In agencies with an exclusive representative, the appointing authority has the discretion of paying may pay confidential, supervisory and other personnel not covered by an exclusive representative who are in the same class as employees who have an exclusive representative, the same rate of pay and salary ranges as negotiated for the class under 12 MCAR § 2.494 E.1. D.1. In no case would this rule allow the appointing authority to reduce the rate of pay of confidential, supervisory or other excluded employees.

C. Amendment of salary ranges selected by appointing authority.

~~1. The appointing authority may amend the official plan for the agency by selection of a different salary schedule as provided in 12 MCAR § 2.494 B.~~

~~2. Supervisor shall be notified of the official action of the appointing authority to amend the plan for the county at least 30 days in advance of the date on which such amended county plan becomes effective unless such change results from the signing of a contract by the board and the exclusive representative.~~

~~D. Adjustment of the official salary schedule of the Minnesota Merit System.~~

~~1. Consumer price index. The compensation plan provided in 12 MCAR § 2.840 shall be adjusted for changes in the level of salary rates in business and government for similar and competing types of employment and for changes in the Twin City Consumer Price Index.~~

~~2. Biennial review of labor market. In every odd-numbered year the supervisor shall conduct a review of the changes in the level of salary rates in the labor market since the time of the most recent adjustment of the compensation plan. This review shall utilize the data and findings of other labor market surveys and shall, to the extent possible, be based upon similar surveys and data used in previous reviews. The supervisor shall complete this study and report the findings findings to the Commissioner of Public Welfare on or before July 31 of each odd-numbered year.~~

~~3. If the report of the Supervisor reveals an increase or decrease in salary rates in the labor market for similar and/or competing employment of four per cent or more, the Commissioner of Public Welfare shall announce a public hearing for a~~

general adjustment of the compensation plan. If the changes in the labor market are of less than four per cent or differ significantly for various types of employment, the Commissioner may announce a public hearing to adjust the compensation plan in whole or in part.

4. The announcement of the public hearing to the affected agencies and employee organizations shall include the proposed compensation plan, an explanation of the adjustments proposed and a summary of the findings of the survey upon which the proposed adjustment is based.

5. The public hearing shall provide opportunity for all interested individuals and groups to present evidence, testimony, and views on the proposed compensation plan. Following the public hearing and after consideration of all the evidence, the Commissioner shall make his decision. Plan amendments. From the results of this study, the supervisor shall propose amendments to the compensation plan in accordance with the provisions of Minn. Stat. ch. 15, and as outlined in 12 MCAR § 2.494 A. An amended compensation plan shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

6. The appointing authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that such employees were paid under the former plan.

7. 4. Biennial review of consumer price index. In every even-numbered year, the supervisor shall conduct a review of the changes in the consumers price index for urban wage earners and clerical workers for Minneapolis-St. Paul, as published by the Bureau of Labor Statistics, new series index (1967=100). The supervisor shall recommend that all rates of pay in the professional, support, clerical and maintenance and trades salary schedules be adjusted by an amount equal to 80 percent of the increase between the consumer price index for June of the current year and the consumer price index for June of the preceding year. This amount shall be rounded to the nearest tenth of a percent and may not exceed ~~8%~~ 9 percent. The new recommended monthly salary rates shall be rounded to the nearest whole dollar. The same percentage increase recommended by the supervisor for all rates of pay shall be recommended as a general salary adjustment for all incumbents of positions in the professional, support, clerical and maintenance and trades salary schedules. An amended compensation plan resulting from these recommendations shall not be effective until the next succeeding January 1, or for those agencies on a bi-weekly or four-week payroll period on the beginning date of the first payroll period following the next succeeding January 1.

5. Plan adjustments. The appointing authority may implement an adjusted compensation plan by adjusting the salaries of the employees to the same numerically designated salary rate on the adjusted plan that such employees were paid under the former plan.

~~E.~~ D. Negotiation of a salary schedule.

1. Role of exclusive representative. In those agencies where employees have elected an exclusive representative the appointing authority and the exclusive representative may negotiate their own salary schedules for employees in the bargaining unit by class, with the salary for each class consistent with the functions outlined in the class specifications. ~~Initial~~ Minimum, intervening, and maximum rates of pay for each shall be established to provide for steps in salary advancement without change of duty, in the recognition of meritorious service. When a new classification not previously used in the agency is established in the middle of the contract period and such class falls within the bargaining unit and no provision exists in the contract for establishing such salaries, the appointing authority and the exclusive representative shall negotiate a salary schedule for the new classification within ~~sixty~~ 60 days of the date of establishment of the classification.

2. Filing. A complete copy of the ~~adopted~~ negotiated salary schedule must be filed with the supervisor within ten days after the signing of the contract or agreement. If the contract or agreement calls for succeeding increases in the salary schedule which change the original minimum and maximum salaries or intervening steps a new adjusted salary schedule must be filed with the supervisor within ten days after the effective date of any such succeeding adjustment.

~~F.~~ E. Administration of the plan.

1. ~~On either the official salary schedule of the Minnesota Merit System or the negotiated salary schedules the entrance salary for any new employee shall be at the minimum salary for the class of positions to which the employee is appointed, except that the entrance salary may be above the minimum rate, provided that:~~

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a. Such appointment at a higher rate is justified by the exceptional qualifications of the individual and that others having similar qualifications are offered the same rate.

OR

b. Such appointment at a higher rate has first been offered to all individuals standing higher on the register who have been offered the appointment.

AND

c. Such appointment under (a) or (b) above shall be made at one of the regularly established steps in the salary range.

d. When such appointment, except appointments under (a) above, is made by the appointing authority at other than the minimum of the range, all employees having probationary or permanent status in the same class in the local unit shall be at or above the point in the range at which the appointment is made, or they shall be raised to that point.

e. Such appointments under (a) and (b) above shall be subject to the prior approval of the Merit System Supervisor upon submittal by the appointing authority of a written statement of the reasons for the higher rate. In those agencies without an exclusive representative or where the collective bargaining agreement is silent regarding initial salaries, the entrance salary for any new employee shall normally be at the minimum rate of pay for the class to which the appointment is made. Requests to appoint above the minimum rate of pay may be made based on the exceptional qualifications of the candidate or the unavailability of candidates at the minimum rate, giving consideration to the salaries of current employees in the same classification. All candidates with similar exceptional qualifications must be offered the same rate of pay which shall be one of the established steps in the agency's adopted salary range for the class to which the appointment is made. Requests, including the reasons, must be submitted in writing by the appointing authority to the supervisor for prior approval.

F. Salary adjustments and increases.

1. Availability of funds. Before salary increases and adjustments are made in accordance with 12 MCAR § 2.494, or in accordance with a negotiated collective bargaining agreement, the appointing authority shall have in its records and carry in its minutes a definite statement that funds for this purpose are available.

2. Plan requirements. In agencies where there is no exclusive representative or collective bargaining agreement, negotiated adjustments in the rates of pay of incumbents of positions, in order to conform to a newly adopted or currently effective compensation plan, shall be in accordance with the following provisions.

a. If the rate of pay of an employee is below the minimum of the range prescribed for the employee's classification on the Merit System Compensation plan adopted by the appointing authority, the rate shall be adjusted to that minimum.

b. If the rate of pay of an employee is at or above the new minimum salary adopted for their class, the employee may receive the general Merit System adopted adjustment, and if the employee's class was adjusted to a greater extent than the general adopted adjustment, the employee may receive the additional adjustment as provided in C.4. as long as the additional adjustment does not place the employee's salary over the new maximum adopted salary for the class.

c. In those situations where the appointing authority has determined that the general Merit System adopted adjustment is inappropriate for its employees, it may grant a different adjustment; however, the authority must file with the supervisor the new salary steps by class and a Salary Conversion Table as provided for in 12 MCAR § 2.841. These adjustments shall at least place employees at the minimum salary and not over the maximum salary for their class on the salary plan adopted by the agency.

d. Employees at the maximum salary for their class may be granted salary adjustments over the maximum salary prescribed for their class, only if such a Merit System adjustment is adopted and only in the amount adopted for incumbents of that class.

e. If the rate of pay of an employee is higher than the maximum of the range prescribed for the employee's class of positions, the rate may remain the same as long as the employee retains the same classification.

f. If the rate of pay of an employee falls between the minimum and maximum of the salary range prescribed for the employee's class but does not correspond to any intervening steps in the range, due to the adoption of Merit System general adjustment, such rate may remain the same. In the case of subsequent merit increases, the employee shall be placed back on a step in the adopted salary range for his or her class.

g. Employees at the maximum salary rate for their class may be granted Merit System adopted salary adjustments only in the amount adopted for incumbents of that class. If an appointing authority wishes to grant a larger general adjustment to

its employees than that adopted by the Merit System and such an adjustment would place an employee's rate of pay above the maximum salary rate for their class, the appointing authority, by prior resolution, may grant to that employee the annual equivalent of the difference between the Merit System adopted adjustment for incumbents and the agency adopted adjustment in the form of a single lump sum salary payment on the effective date of the general adjustment. The employee's base salary rate shall remain at the maximum salary rate for his or her class.

h. An appointing authority may propose a salary increase within the salary range to an employee upon detailed written statements to the supervisor specifying the unusual employment conditions that make the action necessary and the interests of the agency that will be served by the action. The supervisor shall review each proposal, giving due consideration to the salary rates paid other employees in the same class in the agency and may deny any request which in his judgment is contrary to the best interests of the Merit System. Salary increases proposed in accordance with this section are not based on employee performance or a general Merit System adopted salary adjustment. The granting of such an increase shall not affect the employees' eligibility for subsequent merit increases or salary adjustments in accordance with Merit System rules. If the unusual employment conditions giving rise to such an increase are of a temporary nature, the employee's salary shall be decreased to its previous level upon conclusion of those conditions, notwithstanding the provisions of H.1. or 12 MCAR § 2.5081 D.1.

3. Recommended adjustment. The Merit System general adjustment recommended for incumbents is eight percent for employees on the professional, support, clerical, and maintenance and trades salary schedules.

4. Salary differentials. Intra-agency salary differentials between employees in the same class of positions, between employees in different classes of positions in the same occupational field, and between occupational fields in the same agency are recognized as important factors in the maintenance of satisfactory morale. If the general adjustments result in the reduction of the differential between employees in the same class of positions or between employees in different classes of positions in the same occupational field, adjustments may be made that will, insofar as practicable, maintain such differentials within the limits of the new plan. In maintaining such differentials, the appointing authority shall take into consideration the length of service and quality of performance of the employees affected.

5. Collective bargaining agreements. In agencies where there is an exclusive representative and a negotiated salary schedule for employees in the bargaining unit, adjustments in the rates of pay of employees shall follow the wording of the contract or agreement.

G. Merit increases.

1. Increases by steps. Merit increases from the minimum on the official Merit System Compensation Plan or on any negotiated salary schedules or on any salary schedules filed with the supervisor pursuant to F.2.c. shall be by successive intervening steps of pay for the class, with due consideration for length of service and quality of performance.

2. Eligible employees. In those agencies that have adopted a merit increase policy, an employee may be considered for a merit increase upon the satisfactory completion of the probationary period.

3. Annual review for merit increases. In those agencies that have adopted a merit increase policy, a merit increase for each employee not at the maximum salary for his or her classification shall be considered at least once each 12 month period unless otherwise negotiated through a contract or agreement by the appointing authority and the exclusive representative. In the event an increase is not granted, the reasons for the denial of the increase shall be reported, in writing, to the employee and to the Merit System supervisor.

4. Restriction on frequency of increases. In those agencies that have adopted a merit increase policy and, except as otherwise negotiated by the appointing authority and the exclusive representative, a merit increase shall not be granted until the employee has served at least six months at the rate of pay from which an increase is proposed, except that in cases of exceptionally meritorious service, a merit increase of more than one salary step in the range or at less than a six month interval may be permitted. In each case, however, the facts upon which the merit increase is based shall be recorded in the official minutes kept by the appointing authority and reported to the Merit System supervisor.

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5. Increases based on additional education. In those agencies that have adopted a merit increase policy, an extraordinary merit increase within the agency's salary range may be granted upon satisfactory completion of 15 additional credits in a field or fields pertinent to the employee's class. In each case the employee's transcript of coursework must accompany the proposed merit increase.

6. Lump sum payments. In those agencies that have adopted a merit increase policy, the appointing authority may grant an employee who meets all other agency eligibility requirements for a merit increase but whose salary is at or above the maximum rate of pay in the adopted salary range for their classification the annual equivalent of a one step merit increase in the form of a single lump sum payment in recognition of meritorious job performance. For this provision to be effective, appointing authorities, prior to the beginning of the year in which such merit increases, if granted, are effective must establish, by resolution, as its official policy that these payments will be granted for meritorious job performance. The base salary of an employee receiving a lump sum merit increase shall remain at the rate attained immediately prior to the increase.

H. Salary decreases.

1. In general. Except as otherwise negotiated by an agency and the exclusive representative, a salary decrease within the range prescribed for the class may be made only for just cause. A permanent employee shall be notified of the intent to effect a reduction in pay and the reasons for the action at least ten calendar days prior to the date on which the reduction becomes effective. A copy of the notice shall be sent to the supervisor. A permanent employee whose salary is reduced may request a hearing as provided in 12 MCAR § 2.5081 D.1.

2. Exemption. Collective bargaining agreement provisions whereby a salary adjustment or salary increase is negotiated for a set period of time do not fall within the provisions of 1.

I. Work out of class. If an employee is expressly assigned in writing to perform all the duties of a position allocated to a higher classification that is temporarily unoccupied for reasons other than vacation or sick leave and that work exceeds 15 consecutive work days in duration, the employee so assigned shall be paid for all hours of the assignment at least at the minimum rate of pay of the salary range for the higher class or may be granted a one step salary increase within the assigned employee's salary range. If the assignment is to a position in a classification at an equal or lower level, the employee shall be paid for all hours of the assignment at the employee's current rate of pay. A work out of class assignment may be proposed only if the duration of the vacancy is anticipated to be less than six months. Approval of such assignments by the supervisor is required and must be received by the supervisor within five calendar days of the assignment. Upon completion of the work out of class assignment, the employee's salary shall be reduced to its previous level, notwithstanding the provisions of H.1. or 12 MCAR § 2.5081 D.1.

12 MCAR § 2.496 Examinations.

A. Character of examinations.

1. In general. Examinations for entrance into the ~~county welfare service~~ Public Welfare and Public Safety Merit Systems shall be conducted on an open competitive basis. Examinations shall be practical in nature, shall be constructed to reveal the capacity of the applicant for the particular position for which he is competing, as well as his general background and related knowledge, and shall be rated objectively. ~~A practical written test shall be included, except that when peculiar and exceptional qualifications of a specific or professional nature are required and competition through an assembled examination is impracticable, an unassembled examination may be held. The Supervisor shall determine when competition through an assembled examination is impracticable.~~ Examinations shall also include:

a. ~~A competitive performance test for stenographic and typing positions and for any other positions involving the operation of office machines.~~

b. ~~A rating of training and experience for the more responsible positions, including all professional, technical, supervisory, and administrative positions.~~

c. ~~An oral examination for positions that require frequent contact with the public, or that involve important supervisory or administrative duties, provided, however, that after consultation with the Council, the Supervisor may eliminate the oral examinations for those classes of positions in which it is anticipated that the entire eligible register will be exhausted within a relatively short period.~~

The supervisor shall determine the content of all examination processes which may include, but are not limited to, performance tests, written examinations, ratings of experience and training, promotional ratings and oral examinations.

2. Weight assigned to parts. The supervisor shall assign definite weights to each part of the examination prior to its public announcement.

3. Positions for disadvantaged groups. Recruitment and selection for those positions identified in the minimum qualifications of the class specification as directed toward clients and other disadvantaged groups will be limited to persons of low income ~~and/or~~ or low educational achievement, including the physically and mentally disabled. It will be the specific responsibility of the individual appointing authorities to effectively make known opportunities for these jobs to such persons. Persons who do not meet these limitations will be disqualified from competition for these positions and notified of the reasons therefor. Examinations for these positions will include at least one of the following: performance test, ~~structured technical~~ oral examination, ~~practical~~ written test, or oral directions test combining aspects of performance and minimum literacy. The supervisor shall assign a definite weight to each part of the examination prior to its public announcement. Eligible lists will be established on an area ~~and/or~~ or county basis only. Certification of eligibles on an area basis smaller than the county unit may be approved by the supervisor. ~~Since~~ Because these positions cover a broad range of duties requiring many different abilities, knowledges, and basic skills, notwithstanding other provisions of ~~the rules~~ 12 MCAR §§ 2.490-2.841, the supervisor also may approve selective certification of eligibles who possess a particular ability, knowledge, ~~and/or~~ or skill.

B. Notice of examination.

1. The supervisor shall ~~give public announcement of~~ announce all examinations for original entrance into the ~~county welfare service~~ Public Welfare and Public Safety Merit Systems at least ~~three~~ two weeks in advance of the closing date for receipt of applications, and he shall make every reasonable effort to attract qualified persons to compete in these examinations. Notice of examinations shall be posted in important centers throughout the state, and copies shall be distributed among ~~welfare directors and county welfare boards~~ appointing authorities throughout the state, newspapers, public officials, educational institutions, professional and vocational societies, and such other organizations and individuals as the supervisor may deem expedient. Public announcement of examinations shall specify the title and salary ranges of the class of positions, ~~with beginning salary~~, the duties to be performed, the minimum qualifications required, the final date on which applications will be received, and all other conditions of competition, including the relative weights assigned to the various parts of the examination ~~and the fact that failure in one part of the examination will disqualify an applicant.~~

C. Conduct of examinations.

1. Place; monitors. Written tests shall be conducted simultaneously in as many places as are necessary for the convenience of the applicants and as are practicable for proper administration. The supervisor may designate such monitors as may be necessary to conduct examinations under instructions prescribed by him and may also arrange for the use of public buildings in which to conduct the examinations. The supervisor shall provide for the compensation of monitors in accordance with the approved budget for the purpose.

2. ~~The identity of persons taking competitive assembled examinations shall not be disclosed to the examiners. An identification number, which shall be used to identify all papers of each applicant, shall be assigned by the Supervisor to each applicant. Any examination papers bearing the name of the applicant or identification other than an identification number shall be rejected. In a case of rejection the Supervisor shall promptly notify the applicant. Refusal to score. The supervisor may refuse to score the examination of an applicant who copies another applicant's examination paper, or falsifies an identity to gain admittance to the examination, or who otherwise meets the criteria for disqualification as provided for in 12 MCAR § 2.495 C.1.~~

D. Rating examinations.

1. Determination of score. The supervisor shall determine a final score for each applicant's examination, computed in accordance with the weights for the several parts established by the supervisor as set forth in the announcement. Failure in any part of an examination ~~shall~~ may disqualify the applicant in the entire examination ~~and shall disqualify him from participation in subsequent parts of the examination.~~ All applicants for the same position shall be accorded uniform and equal treatment in all phases of the examination procedure.

2. Determination of passing point. The supervisor shall utilize appropriate scientific techniques and procedures in rating the results of examinations and in determining the final scores of the applicants. ~~In determining the system for rating results of the examinations, the Supervisor and the Council shall give~~ The supervisor shall establish reasonable passing points for all examinations, giving due regard to the number of vacancies that may reasonably be expected to occur during the life of the register.

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E. Rating training and experience.

1- When training and experience form a part of the total examination, the supervisor shall determine a procedure for the evaluation of the training and experience qualifications of the various applicants. The formula used in appraisal shall give due regard to recency and quality, as well as quantity, of experience and to the pertinency of the training. This procedure shall allow for the substitution of training for experience, and experience for training, within the limits stated in the class specifications.

2- ~~The Supervisor will investigate an applicant's training and experience to verify the statements contained in his application form and to obtain evidence about his character and fitness either before rating his training and experience or after giving an initial rating but before certification from the register. If this investigation produces information affecting a rating of training and experience already given, the Supervisor shall re-rate the applicant's record accordingly and shall make the necessary adjustment on the register. He shall also promptly notify the applicant of any such re-rating.~~

F. Oral examination.

1- When an oral ~~interview or oral test~~ examination forms a part of a total examination for a class of positions, the supervisor shall ~~appoint~~ select one or more oral examination ~~board~~ boards as needed. An oral examination board shall consist of two or more members who shall be known to be interested in the improvement of public administration and in the selection of efficient government personnel and at least one of whom shall be technically familiar with the character of work in the position for which the applicant will be examined. Any person holding political office or any officer or committee member of any political organization, or any person actively engaged in the work of any political organization, shall not serve as a member of ~~any such~~ a board. If practicable, all applicants qualifying for the oral examination for the class of positions shall be rated by the same oral examination board. A member of an oral examination board shall disclose each instance in which he knows the applicant personally and ~~shall not rate such applicant~~, in those instances, the supervisor shall determine whether the oral examination board member shall rate that applicant.

H. Special written tests.

1- ~~No applicant shall be given a special written test unless the Council, by formal and recorded action, finds that the applicant's failure to take or complete the original written test was due to an obvious error in connection with the administration of the examination for which the Supervisor or one of his assistants was responsible. The Council's findings and decision shall be recorded in its minutes. No claim for a special written test shall be allowed unless it is filed in writing with the Council within ten days after the date the original written test was held. Any special written test shall be constructed on a pattern similar to the original written test.~~

I. H. Examination records.

1- The supervisor shall be responsible for the maintenance of all examination records pertinent to the county welfare examination programs. Applicants Applications and other necessary examination records shall be kept during the life of the register. Examination records of appointees shall be kept permanently, but examination records of applicants not appointed may be destroyed 30 days after the register expires.

12 MCAR § 2.498 Certification of eligibles.

A. Vacancies.

1- Vacancies in the classified service shall be filled by reemployment, original appointment, promotion, transfer, demotion, or reinstatement.

B. Requisition for certification.

1- If a vacancy in any position under a ~~county welfare or human service board~~ an appointing authority is to be filled other than by reinstatement, non-competitive examination, ~~promotion~~, transfer, or demotion, and a new employee is needed, a requisition shall be submitted by the appointing authority to the supervisor. This requisition shall state the number of positions to be filled in each class, together with the class title and other appropriate information. In addition, desirable special qualifications for the particular position under consideration may be indicated. In requesting the certification of individuals with special qualifications, the appointing authority shall state in the request the reasons for the special qualifications requested. Eligibles shall be certified in strict order of standing on the register, except in a case in which the supervisor, ~~with the approval of the Merit System Council~~, has determined that there is reason for a certification of an eligible with special qualifications. Requests for certification of individuals with special qualifications approved by the supervisor shall be reported to the council at its next scheduled meeting.

C. Certification methods.

1. Entrance register. Upon ~~receipt of~~ receiving a requisition, the supervisor shall certify the names of available eligibles. If one position is involved, ~~he~~ the supervisor shall certify the seven highest available names together with any additional names

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of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh person certified, from the open-competitive entrance register established for the class of positions. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

2. Promotional register. The supervisor may also certify the three highest available names together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination scores as that of the third name certified, from the appropriate promotional register ~~and reemployment register~~ if such ~~registers exist~~ register exists and ~~are~~ is requested. Names of available eligibles from the appropriate reemployment register, if one exists, shall also be certified as additional names.

3. Certification for more than one vacancy. If more than one vacancy exists, the supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the last person certified on a competitive certification or as that of the last person certified on a promotional certification. Supplementary certifications will be issued only in instances in which it is found that there are less fewer than seven available candidates on the competitive certification or three available candidates on the promotional certification.

4. Selection for appointment. The appointing authority may select for appointment anyone among the certified candidates who are eligible for appointment.

12 MCAR § 2.500 Probationary period.

B. When required.

1. A person employed by ~~a county welfare department~~ an appointing authority in any of the following ways shall serve a probationary period:-

- a. Appointment from an eligible register other than the layoff list-;
- b. Reinstatement of a former probationary employee or of a former permanent employee in an agency other than the last employing agency-;
- c. Transfer of an employee between counties except when specifically waived ~~(in writing, in a written document addressed to the Merit System Supervisor)~~ by the new employing county prior to the date on which the transfer of a permanent employee becomes effective-; or
- d. Transfer or reinstatement to a position on the basis of eligibility from a comparable position in a similar merit system jurisdiction.

C. Duration of probationary period.

~~+~~ The probationary period shall consist of the equivalent of the first six full months of actual compensated service following the date of the appointment action requiring such a probationary period, except as provided in the following section
D. Unpaid leave of ten or fewer workdays during the probationary period does not affect the duration of the probationary period.

D. Extension of probationary period.

1. In rare or unusual circumstances or conditions that prevent the making of a full and fair determination as a basis for granting permanent status or separating the employee from the service, ~~a three-month~~ an extension of the probationary period for up to three months may be granted. Initiation of a request to the Merit System supervisor for extension must occur on or before the beginning of the sixth month of the probationary period and shall specify the reasons why the extension is required in this instance necessary. A current evaluation of the employee's performance shall accompany the request. A copy of the request for extension and the evaluation shall be provided to the probationary employee by the appointing authority.

2. ~~The Supervisor shall make such investigation as he deems necessary to ascertain the validity of the request and~~

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~~assess the best interests of the service and of the probationary employee.~~ The supervisor's decision on the request shall be given to the agency and the employee at least ten days in advance of the end of the ~~six months~~ initial probation period.

3. Each formal request for extension of the probationary period and the ~~determination~~ decision on the request shall be reported to the Merit System Council at its next meeting.

E. Promotion during probation.

1. An employee serving a probationary period may be promoted to a position in a higher class; ~~provided that his name is certified in accordance with these rules from an eligible register established as a result of a competitive examination process.~~ An employee who is promoted begins a probationary period in the higher classification as of the date of that appointment.

2. A probationary employee who is promoted to a position in a higher class in the same occupational field ~~may~~ shall complete his probationary period in the lower class by service in the higher position.

F. Transfer during probation.

~~+~~ A probationary employee may be transferred from a position ~~in under one county welfare department appointing authority~~ to a position in the same class ~~in under another county welfare department appointing authority~~ if the employee was not appointed from a certification from a county ~~or area sub-register of the state-wide register.~~

G. Demotion during probation.

~~+~~ A probationary employee who is demoted to a class of positions in the same occupational field shall have included as a part of the probationary period in the lower class his period of service in the higher class unless the appointing authority writes on the report of the demotion to the Merit System that a complete new probationary period is required in the lower class.

H. Removal during probation.

1. A probationary employee may be dismissed by an appointing authority without the right to an appeal or hearing except as may otherwise be provided by law. The employee shall be given written notification ~~of, including the reasons for his dismissal,~~ at least five days in advance of the date on which the dismissal becomes effective. ~~The appointing authority shall submit to the Supervisor a written report of the reasons for the dismissal and a copy of the notification shall be submitted to the supervisor.~~

I. Completion of probationary period.

1. The appointing authority shall submit written notice of the satisfactory completion of the probationary period to the employee and to the Merit System at least ten days in advance of the expiration of the probationary period. A rating or appraisal of the employee's performance shall accompany the notice. The employee shall then be granted permanent status in his position the day following the last day of his probation period.

2. If an appointing authority fails to implement the purpose and intent of the probationary period by appropriate action as provided in ~~these rules~~ 12 MCAR § 2.500, a probationary employee who is not certified permanent in accordance with ~~12 MCAR § 2.500~~ 1. and is not removed or demoted but is continued in employment beyond the full six-months period shall obtain permanent status in the position by the default of the agency. The payment of salary beyond the six-months probationary period shall be deemed to be evidence of the determination by the appointing authority that permanent status shall be granted to the employee. The supervisor shall enter such status on the record of the employee and shall notify the appointing authority and the employee of the change in status.

3. Each instance in which permanent status is granted to an employee in accordance with the provisions of ~~12 MCAR § 2.500~~ 1. 2. shall be reported to the ~~Commissioner of Public Welfare and the~~ Merit System Council. The council may recommend and the commissioner may take appropriate action to insure that the purpose and intent of the probationary period shall be given effect in the agency in all future appointments.

12 MCAR § 2.503 Separation, tenure and reinstatement.

B. Dismissals.

2. No employee who has permanent status shall be dismissed from his position except for just cause. Before the action is taken, a permanent employee shall be furnished with a statement, in writing, setting forth reasons for the dismissal. He shall be permitted five days time to reply thereto, in writing, or, upon request, to appear personally and reply to the appointing authority. A copy of the statement and the employee's reply, if any, shall be filed with the supervisor prior to the effective date of the dismissal. Any such employee who is dismissed may demand a hearing before the Merit System Council in the manner prescribed by ~~12 MCAR § 2.508 E.2. (See 12 MCAR § 2.508 E.4. for dismissal procedure for veterans.)~~ 12 MCAR § 2.5081 D.

C. Suspension.

✚ After written notice, the appointing authority may suspend any employee without pay for delinquency or misconduct just cause for a period not to exceed 30 calendar days in any one calendar year. Suspensions of five or fewer consecutive working days or ten or fewer working days in a calendar year are not appealable to the council under 12 MCAR § 2.5081 D.1.

F. Reinstatement to ~~previous class of positions~~ of former permanent employee.

✚ Upon written request of an appointing authority to and with the approval of the ~~Merit System~~ supervisor, an employee who has successfully passed a merit examination and has acquired permanent status in a class under ~~these rules~~ 12 MCAR §§ 2.490-2.841 may be reinstated to a position in the same class ~~in the Merit System program~~ at any time within two years after the date of his resignation in good standing. Under the same conditions, a reinstatement may be made within a period of time, not to exceed five years, equivalent to the continuous period of the employee's service since January 1, 1940, in a county welfare agency. Reinstatement shall be without benefit of previously acquired seniority. Upon approval of the ~~Merit System~~ supervisor, reinstatement may be made directly by an appointing authority, provided that there is a vacancy. ~~The Supervisor may require such employee to pass a qualifying examination.~~

G. Reinstatement of ~~probationer~~ former probationary employee.

✚ Upon written request of an appointing authority and with the approval of the ~~Merit System~~ supervisor, a probationary employee who has resigned in good standing may be reinstated as a probationary employee to a position in the same class ~~previously held in the Merit System~~ at any time within a year after the date on which his resignation ~~became effective~~.
12 MCAR § 2.504 Leaves of absence.

A. In general.

1. Leave policies stated in ~~this subdivision B.~~ are minimum standards and shall apply to all employees except when otherwise negotiated by the appointing authority with an exclusive representative. At the discretion of the ~~board~~ appointing authority, ~~such~~ these negotiated benefits may be applied to all employees of the agency.

2. Beyond the minimum standards listed in ~~subdivision B.~~ the appointing authority may adopt an optional leave of absence policy to the extent allowed in ~~subdivision C.~~

3. Agencies without an exclusive representative that adopt an optional leave policy beyond the minimum standards listed in ~~subdivision B.~~ shall file a copy with the supervisor.

B. Minimum policy.**1. Jury or witness duty.**

a. After notice to the appointing authority, any employee under the Merit System shall be granted leave with pay for service upon a jury or appearance before a court, legislative committee, or other judicial or quasi-judicial body as a witness in action involving the Federal Government, State of Minnesota, or a political subdivision thereof, in response to a subpoena or other direction by proper authority.

b. At the option of the appointing authority the employee may be required to turn over to the agency any per diem payment received as a result of serving on a jury or as a witness ~~in the above listed actions~~ as described in a. Monies received as expenses shall be kept by the employee.

c. Any absence, whether voluntary or in a response to a legal order to appear and testify in private litigation, not as an employee of the county agency but as an individual, shall be taken as annual leave, as leave of absence without pay, or as a deduction from authorized accumulated overtime.

2. Leaves of absence without pay.

✚ Any person holding a permanent or probationary position in the classified service of the Minnesota Merit System shall be granted a leave of absence without pay on the grounds of sickness or disability and may be granted a leave of absence without pay for other good or sufficient reasons, provided that no such leave shall exceed one year. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and the women so affected shall be treated the same as other persons who are not so affected, but who are

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similar in their ability or inability to work. The appointing authority shall establish the proof required of the existence of sickness or disability and the continuance thereof during ~~said~~ that one-year period. The appointing authority may require that the employee produce medical certification from a registered practicing physician that ~~he/she~~ the employee is fit for work before returning the employee to the job. Any employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to the same position if ~~such~~ the leave is for 60 calendar days or less. An employee who is granted a leave of absence without pay shall be accorded thereby an unqualified right to be reinstated to a position in the same class at the expiration of leave, except that when all the positions in the class previously held by ~~such~~ that employee have been abolished, the name of the employee shall be restored to the appropriate reemployment register provided for in 12 MCAR § 2.503 D.5. If all the positions in the class are filled, the least senior employee in the class shall vacate ~~his/her~~ his or her position subject to any eligibility for layoff, transfer, or demotion that ~~he/she~~ he or she may have acquired under these rules. An employee on leave of absence, with the approval of the appointing authority and the supervisor, may be reinstated to ~~his/her~~ his or her class before the expiration of the leave in the same manner. Upon certification by ~~the~~ a registered practicing physician, the employee who is physically or mentally capable of returning to work must comply within ten working days or face termination. If such an employee within the specified days cannot return to work, ~~he/she~~ he or she must notify the appointing authority and request an approval for a leave of absence.

3. Vacation leave.

a. Upon the completion of six full months of satisfactory service in the Merit System, vacation leave shall accrue to ~~the~~ a permanent, probationary, or trainee employee for ~~the~~ the time served at the rate of one working day for each full month of service. No vacation leave shall be accrued or granted during the first six months of service; in the Merit System; but upon the satisfactory completion of such period, vacation leave shall accrue to ~~the~~ a permanent, probationary, or trainee employee for the time served. Unused vacation leave shall accumulate to a total of at least 24 working days. The county agency shall determine the time at which vacation leave may be taken. Vacation leave may not be used prior to completion of the period in which it is accrued. Part time employees shall accrue vacation leave on a pro-rated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

b. Vacation leave shall not ~~accumulate~~ accrue to an employee while in a non-pay status, except to employees on military leave.

c. A permanent employee who is transferred or promoted from one county agency to another shall be paid by the former agency for the number of working days of accrued but unused vacation leave ~~accumulated to his credit~~ unless the new agency, upon the request of the employee, agrees to accept all or a portion of the employee's accrued but unused vacation leave.

d. Any permanent, probationary, provisional or trainee employee with six full months of satisfactory service in the Merit System who is separated by layoff, resignation, death, or otherwise, shall be paid for the number of working days of unused vacation leave ~~accumulated~~ accrued to his credit.

4. Sick leave.

a. Every permanent, probationary, provisional, limited-term and trainee employee shall ~~earn~~ accrue sick leave at the rate of one working day for each completed month of service, and such accrued sick leave may be used under the conditions hereinafter prescribed:

Absence necessitated by an employee's inability to perform the duties of ~~his/her~~ his or her position by reason of illness or injury, by necessity for medical or dental care, by reason of prenatal and postnatal care, by exposure to contagious disease under circumstances in which the health of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance on duty, or by illness in the employee's immediate family, for such period as shall be necessary. The term "immediate family" shall be limited to the spouse, minor children, or parent when the parent has no other person to provide the necessary nursing care, living in the household of the employee. Within the discretion of the appointing authority, use of sick leave also may be authorized in cases of death of the spouse, children, and wards of the employee and the brothers, sisters, parents, or grandparents of either the employee or ~~his/her~~ the employee's spouse.

b. Unused sick leave shall accumulate to a total of at least 100 working days.

c. Sick leave with pay shall not ~~be granted~~ accrue to emergency, hourly, or per diem employees.

d. Sick leave shall not accumulate to an employee while in a non-pay status, except employees on military leave.

e. Sick leave during vacation leave: When sickness occurs within a period of vacation leave, the period of illness may, on presentation of a report from a registered practicing physician, be charged as sick leave and the charge against vacation leave reduced accordingly.

f. The appointing authority may require the employee to produce medical certification from a registered practicing physician attesting to the need for sick leave ~~and/or~~ or attesting that the employee is fit to return to work.

g. A former Merit System employee who is reinstated or reemployed in accordance with Merit System rules, except as a provisional or emergency appointee, may have ~~his/her~~ previously accumulated and unused balance of sick leave revived and placed to ~~his/her~~ the employee's credit upon approval of the new appointing authority.

h. A permanent or probationary employee who is transferred or promoted from one appointing authority to another may be granted credit in the new agency for all previously accrued but unused sick leave.

i. Sick leave may not be used prior to completion of the period in which it is accrued. Part-time employees shall accrue sick leave on a pro-rated basis based on hours worked in accordance with a schedule prepared by the appointing authority.

5. Military leave.

~~a-~~ Employees who are in service in the armed forces of the state or the United States shall be entitled to leave of absence as provided for by ~~Minnesota Statutes, Section~~ Minn. Stat. § 192.261.

6. Record of leaves.

~~a-~~ Each appointing authority shall maintain a record of leaves with pay granted to employees.

7. Holidays.

a. Full time Permanent, probationary, provisional, limited-term, and trainee employees whose normally scheduled work day falls on a holiday listed below shall receive time off with pay. Compensatory time off shall be allowed for work done on these days except when payment is received. Emergency employees are not eligible for holiday pay. ~~Employees who work less than full time and who are eligible for holiday pay shall receive such pay equivalent to the number of hours they normally would have been scheduled to work on that day if it had not been a holiday.~~ The following days are holidays:

New Year's Day—January 1

Lincoln's and Washington's Birthday—the third Monday in February

Memorial Day—the last Monday in May

Independence Day—July 4

Labor Day—the first Monday in September

Veteran's Day—November 11

Thanksgiving Day—the fourth Thursday in November

Christmas Day—December 25

Appointing authorities may designate one or both of the following as holidays:

Christopher Columbus Day—the second Monday in October

Friday after Thanksgiving

b. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Sunday, the following Monday shall be a holiday. When New Year's Day, Independence Day, Veteran's Day, or Christmas Day falls on Saturday the preceding Friday shall be a holiday.

c. Holidays which occur within the employee's vacation or sick leave period shall not be charged to the employee's vacation or sick leave time.

d. Employees must be on the payroll on the work day immediately preceding and the work day immediately following a holiday to be eligible for such holiday. For the purpose of determining eligibility for holiday pay, "on the payroll" means those who are in pay status.

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e. Employees who work less than full-time or intermittent employees shall be compensated for holidays on a pro-rated basis in accordance with a schedule prepared by the appointing authority and approved by the supervisor.

C. Optional policy.

4. Educational leave.

a. Educational leave, with or without pay, may be granted for a period not to exceed two years to any permanent or probationary employee. Such leave shall be for work-related programs which are in the best interest of the agency and consistent with the agency's training and staff development plan approved by the Department of Public Welfare Staff Development Director. Such leave shall otherwise be subject to ~~12 MCAR § 2.504 A.3.~~ The appointing authority may allow the employee to continue to accrue eligibility for ~~incentive merit~~ merit increases, as in 12 MCAR § ~~2.516 D.2.~~ 2.494 G., and ~~such salary~~ the merit increase may be granted at the same time the increase would have been granted, but for the leave of absence. Educational leave with pay shall be approved by the supervisor prior to authorization.

12 MCAR § 2.5081 Appeals and hearings.

A. General provisions.

1. The council or appeal board or referee appointed by the council shall hear all appeals under this rule.

2. A written notice of appeal, specifying the reason or reasons for the appeal, must be submitted to the supervisor within 30 days of the action appealed or within 30 days of the date notification of the action was mailed to the affected party, whichever is later.

3. Except for appeals under D., the supervisor shall reply to the appeal, interpreting the Merit System rules and applicable law relative to the issues in the appeal. All affected parties will receive copies of the response.

4. Any affected party who is dissatisfied with the supervisor's resolution may appeal that resolution and the appeal will be placed on the agenda of the next council meeting.

5. Any permanent employee under a collective bargaining agreement who appeals a dismissal, suspension, or a reduction in pay or position under the provisions of a grievance procedure in such agreement may not subsequently appeal the same action to the council.

6. All decisions shall be given within a reasonable time following the hearing and shall be in writing. Copies shall be sent to all parties involved and the Merit System where final decisions are made by the appointing authority.

B. Appeals from selection and appointment procedures.

1. Any applicant may appeal a rejection of his or her application based on qualifications or removal from a register for reasons specified in 12 MCAR § 2.497 D. The council shall review the reasonableness of the rejection or removal.

2. Any applicant who has taken an examination may appeal for review of the rating procedures in any part of the examination. The council shall review the rating procedures in order to determine whether they have been applied equally and fairly to all applicants.

3. Decisions of the council regarding appeals under 1. and 2. shall be final.

4. Admission to an examination, restoration to a register, or correction of an examination rating resulting from an appeal shall not affect a certification or appointment that may have already been made.

C. Appeal from allocation. Any employee or appointing authority may appeal the allocation of a position. The council shall review all facts relating to the allocation and make a recommendation to the commissioner. The commissioner's decision shall be final.

D. Appeal from dismissal, suspension, or demotion.

1. Any permanent employee who has not appealed under the provisions of a grievance procedure contained in a collective bargaining agreement may appeal any dismissal, suspension of more than five consecutive working days or ten working days in a calendar year, or reduction in pay or position to the council. The council shall review the action for compliance with the procedural requirements of 12 MCAR § 2.503 B.2. and whether or not the action was taken for just cause.

2. The hearing shall be held within 30 days of when the appeal is received by the supervisor.

3. After the hearing, the council shall make a recommendation to the appointing authority. Within 30 days of receiving the recommendation, the appointing authority shall make the final decision.

4. Any veteran covered under the provisions of Minn. Stat. § 197.46 shall not be removed except for incompetency or misconduct shown after a hearing upon due written notice which includes a statement of charges.

E. Appeal from denial of merit increase.

1. Any permanent employee of an appointing authority with an established policy of granting merit increases who has not received a merit increase for a 12 month period and who is denied a merit increase may appeal the denial if the reasons given for the denial do not reflect on the merit of the employee's performance. The council shall initially determine whether or not such reasons are given. If so, the appeal shall be denied. If not, the council shall take testimony regarding the performance of the employee. Both the appointing authority and the employee shall have the right to present witnesses and give evidence.

2. The council shall recommend the appointing authority either grant or deny the merit increase. The appointing authority shall make the final decision.

F. Other appeals. Any employee or appointing authority affected by action taken in the administration of 12 MCAR §§ 2.490-2.841 may appeal the action. The council shall review the action for compliance with the rules of the Minnesota Merit System and applicable law and shall recommend to the commissioner remedial action it may deem warranted. The commissioner's action shall be final.

12 MCAR § 2.517 Salary computation provisions for full and part-time employment, vacation and sick leave pay upon termination, partial pay periods, overtime pay and part payment from another source.

A. Pay periods.

~~±~~ The length of pay periods is at the discretion of the appointing authority ~~and/or~~ but it may be negotiated when there is an exclusive representative.

B. Full-time and part-time employment.

1. All rates prescribed in 12 MCAR §§ 2.840 and 2.841 shall be standard rates for full-time employees except as otherwise negotiated for employees in a bargaining unit in agencies where there is an exclusive representative or under the provisions of ~~12 MCAR § 2.516 B.1.e.~~ 12 MCAR § 2.494 F.2.c. If employment in a position is on a part-time or intermittent basis, only the proportional part of the rate for the time actually employed shall be paid. Such time may be paid on an hourly, working day or proportion of a month basis. The agencies using 12 MCAR § 2.840 shall use the table prepared in accordance with 12 MCAR § 2.841 in computing such payment.

2. Those agencies with an exclusive representative who negotiate different salary schedules from those shown in 12 MCAR § 2.840 under the provisions of ~~12 MCAR § 2.517 B. 1. above~~ or those agencies operating under the provisions of ~~12 MCAR § 2.516 B.1.e.~~ 12 MCAR § 2.494 F.2.c. shall file within ten days after the signing of the contract such schedules with the supervisor. Attached thereto, shall be a table similar in format, computation, and information to the table provided for in 12 MCAR § 2.841. The table shall show monthly rates with appropriate conversion to hourly rates and to daily rates based on the number of working days and paid holidays in the month, and payment by payroll period for full-time work if such payment is made on other than a monthly basis.

C. Payment for less than a full payroll period.

~~±~~ The amount of salary paid for a period less than a full payroll period to an employee shall be determined on the basis of the number of hours ~~or~~ days the employee worked in the payroll period. Agencies shall use the table provided for in 12 MCAR § 2.841 in computing this salary. Those agencies with an exclusive representative who have negotiated different salary schedules and those agencies operating under the provisions of ~~12 MCAR § 2.516 B.1.e.~~ 12 MCAR § 2.494 F.2.c. shall use their table prepared in accordance with 12 MCAR § 2.841 in computing this salary.

D. Part payment from another source.

~~±~~ When part of the compensation of a county welfare or human service employee regularly is paid from another source, such as federal, state, city or county governmental departments, or from a different fund or account outside the control of the

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appointing authority, the total salary from all governmental sources combined shall not exceed the amount payable at the maximum rate for the class of position involved on the compensation plan adopted by the agency.

E. Compensation for vacation ~~and~~ or sick leave or both upon separation.

1. An employee, who has permanent status in the county agency in some class, who is separated from the agency shall be paid for accumulated, unused vacation leave in accordance with 12 MCAR § 2.504 ~~C.4.~~ B.3.d. on the basis of the appropriate daily or hourly rate as shown on the table prepared in accordance with 12 MCAR § 2.841. This is illustrated by the following examples:

An employee who earns \$844 a month and is paid \$388 on a bi-weekly payroll (\$38.80 daily rate) works 8 days in the payroll period and terminates her employment. She has 11 days of vacation accumulated. Daily rate of \$38.80 × 19 days (8 regular working days plus 11 days of vacation) = \$737.20.

An employee who earns \$844 a month and is paid on a monthly basis works 8 days in the month which has 22 working days in it and terminates her employment. She has 11 days of vacation accumulated. Daily rates of \$38.36 (for 22 day month) × 19 days (8 regular working days plus 11 days of vacation) = \$727.70.

12 MCAR § 2.518 Appointment, promotions, demotions, transfers, and reinstatements.

A. Appointment.

1. The entrance salary for ~~any~~ the original appointment, provisional appointment, or emergency appointment of a new employee (original appointment, provisional appointment, or emergency appointment) shall be at the minimum salary for the class of positions to which he is appointed, except when appointments are permitted above the minimum in accordance with 12 MCAR § 2.494 E. ~~+~~

2. An employee who is provisionally employed at a rate of pay higher than the minimum of the range prescribed for the class shall not be reduced in pay at the time of appointment from a register to the class in which he is serving.

B. Promotions.

1. An employee who is promoted shall have his or her salary raised to the minimum rate of pay for the new class. If his or her salary before promotion falls within the range of the new class but not on any step within that range, the salary shall be adjusted to the nearest next higher step.

2. An employee granted a salary increase after having been promoted may be permitted to retain that increase when returned to a lower class, provided that if the salary paid does not exceed the maximum of salary for the lower class.

C. Demotions.

~~+~~ An employee who is demoted except by reason of 12 MCAR § 2.493 D. shall have his salary reduced to at least the maximum rate of the new class. If the salary is within the range for the new class, he may receive the same rate. An employee who continues in the same position and who is demoted under 12 MCAR § 2.493 D. because of the downward reallocation of his position may continue to be paid at the former salary rate as long as he retains the same position without further increase except as may subsequently be provided in the new classification. An employee who is demoted except in accordance with 12 MCAR § 2.493 D. and whose salary is above the maximum rate for the lower class shall be reduced in salary to at least the maximum rate for the new class. If the former salary is within the salary range for the lower class, the same salary may be continued. An employee whose position is reclassified downward in accordance with 12 MCAR § 2.493 D. and remains in the same position may retain his or her former salary if it is above the maximum salary rate for the lower class but shall be ineligible to receive any further increases except those subsequently provided in the new classification.

D. Transfers.

~~+~~ An employee who is transferred may be paid the same salary that he received prior to transfer. His salary may be raised within the range for the class to which he is transferred, but it shall not be lowered. If an employee's salary prior to transfer falls within the salary range of the class to which the employee is transferring but not on a salary step in that range, the employee's salary may be increased to the next higher step in the range but it shall not be lowered.

E. Reinstatements.

~~+~~ A former employee who is reinstated or reemployed may be paid the same salary rate that he last received in the same class of position if it coincides with a step on the current salary range for the class, or if it does not coincide, at the nearest next higher step.

12 MCAR § 2.578 Financial Assistance Supervisor I.

D. Minimum qualifications of education and experience. A Financial Assistance Supervisor I shall have:

1. ~~Four~~ Three years of experience as either a Financial Worker I or II, or the equivalent~~;~~; or

OR

2. ~~Three~~ Two years of experience as either a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two or four-year college, with emphasis in the behavioral sciences, business, or closely related subjects ~~(with at least 23 quarter credits or 16 semester credits)~~; or

OR

3. ~~Thirty~~ Eighteen months of experience as either a Financial Worker I or II, or the equivalent, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences, business or closely related subjects.

12 MCAR § 2.579 Financial Assistance Supervisor II.

D. Minimum qualifications of education and experience. ~~One year of experience as a Financial Assistance Supervisor I.~~

OR

~~Two years of experience as a Financial Assistance Specialist.~~ A Financial Assistance Supervisor II shall have:

1. Four years of experience as a Financial Worker I or II; or

2. Three years of experience either as a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two-year or four-year college, with emphasis in the behavioral sciences, business, or closely related subjects, with at least 23 quarter credits or 16 semester credits; or

3. Two years of experience as a Financial Worker I or II, and a bachelor's degree in social work, psychology, sociology, business, or closely related subjects.

12 MCAR § 2.590 Financial Assistance Supervisor III.

D. Minimum qualifications of education and experience. A Financial Assistance Supervisor III shall have:

1. ~~Graduation~~ Graduated from an accredited four-year college, with a major in social work, psychology, sociology, business administration, public administration, or related fields, and three years of experience as a Financial Assistance Supervisor I or equivalent level of experience. five years of experience as a Financial Worker, or equivalent, three years of which must have been at the Financial Worker II, or Senior level; or

OR

2. ~~When taking a promotional examination for this position, an employee may substitute one year of Financial Assistance Supervisor I experience for one year of college for up to two years of the required college education.~~

OR

3. ~~Graduation~~ Graduated from an accredited four-year college, with a major in social work, psychology, sociology, business administration, public administration or related fields, and one year of experience as a Financial Assistance Supervisor II, or equivalent level of experience four years of experience as either a social worker in a public social service agency or as a Financial Assistance Supervisor.

OR

4. ~~When taking a promotional examination for this position, an employee may substitute one year of Financial Assistance Supervisor II experience for one year of college for each year of the required college education.~~

OR

5. ~~When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement. On a promotional basis, one year of experience as a social worker or Financial Assistance Supervisor may be substituted for two years of college.~~

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12 MCAR § 2.591 Financial Assistance Supervisor IV.

D. Minimum qualifications of education and experience.

1. ~~Graduation~~ A Financial Assistance Supervisor IV shall have graduated from an accredited four-year college with a major in social work, psychology, sociology, business administration, public administration or related fields, and ~~one year~~ three years of experience as a Financial Assistance Supervisor III, or equivalent level of experience.

OR

2. ~~Graduation from an accredited four-year college with a major in social work, psychology, sociology, business administration, public administration or related fields, and three years of experience as a Financial Assistance Supervisor II, or equivalent level of experience.~~

OR

~~3.~~ When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement.

OR

~~4.~~ 3. Master's degree level work in social work, psychology, sociology, human services administration, business administration, public administration or related fields may be substituted for the ~~Financial Assistance Supervisor II level~~ experience on a year-for-year basis, not to exceed two years.

12 MCAR § 2.623 Financial Assistance Specialist.

D. Minimum qualifications of education and experience. A Financial Assistance Specialist shall have:

1. ~~Three~~ Two years of successful experience as either a Financial Worker I or II, or the equivalent-;

OR

2. ~~Thirty Eighteen~~ months of successful experience as either a Financial Worker I or II, or the equivalent, and completion of two years of study at an accredited two-year or four-year college, or similar institution, with emphasis in the behavioral sciences, business, or closely related subjects ~~(with at least 23 quarter credits or 16 semester credits)-;~~ or

OR

3. ~~Two years~~ One year of successful experience as either a Financial Worker I or II, or the equivalent, and completion of a bachelor's degree from an accredited four-year college or similar institution with a major in the behavioral sciences, business, or closely related subjects.

12 MCAR § 2.720 ~~Accounting Officer I~~ Fiscal Officer.

A. Kind of work. Under general supervision, a Fiscal Officer is responsible for the maintenance of financial records and accounts; ~~prepares~~ preparation of budget estimates and periodic financial and statistical reports in a small county welfare or human services agency or ~~carries similar responsibility~~ supervision of the work of a small number of accounting and clerical employees in the maintenance of a major part of financial records and reports in a large county welfare or human services agency; and performs performance of related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Processes ~~and/or~~ approves processing of bills, requisitions, and receipts. Prepares financial reports. Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. May order supplies and maintains an inventory of supplies. Prepares payrolls. ~~Assigns and supervises~~ May assign and supervise work of account clerks ~~and/or~~ clerical employees assigned to the accounting unit. Trains new accounting employees. ~~Evaluates staff performance~~ Analyzes and interprets fiscal reports so that the information is available in useful form. Develops and maintains control procedures for handling of cash.

C. Knowledges and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of the principles of budgeting and accounting. Knowledge of the principles of supervision. Knowledge of the principles of office management. Knowledge of office procedures and practices and of uses of standard office equipment.

2. Ability to accept responsibility. Ability to plan, organize, and assign work. Ability to analyze work flow problems and to design procedures. Ability to perform detailed work rapidly and accurately. Ability to analyze financial records and reports,

locate errors, and recommend solutions to procedural or other problems. Ability to interpret bookkeeping records and documents, and prepare information in summary form. Ability to maintain satisfactory working relationships with professional and clerical staff and with the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience. A Fiscal Officer shall have:

1. A high school degree, or the equivalent, and completion of shall have completed two years of training in bookkeeping or accounting courses in a business school, college or university and one year of experience as an account clerk- or bookkeeper;
2. One year of experience as an account clerk or bookkeeper may be substituted for each year of college coursework-; or

OR

3. Any combination of the above experience and education.

12 MCAR § 2.721 ~~Accounting Officer II~~ Fiscal Supervisor I.

A. Kind of work. Under general supervision, a Fiscal Supervisor I is responsible for the maintenance of financial records and accounts; ~~prepares~~ preparation of budget estimates and periodic financial and statistical reports in a medium sized county welfare or human services agency or ~~supervises five or more~~ supervision of accounting and clerical employees in the maintenance of financial records and reports in a large urban county welfare or human services agency; and ~~performs~~ performance of related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Processes ~~and/or~~ approves processing of bills, requisitions, and receipts. Prepares financial reports. Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. May order office supplies and maintains an inventory of supplies. Prepares payrolls. Analyzes and interprets fiscal reports so that the information is available in useful form. Assigns and supervises work of accounting clerks ~~and/or~~ clerical employees assigned to the accounting staff. Trains new accounting employees. Evaluates staff performance. Develops and maintains control procedures for handling of cash.

C. ~~Knowledges~~ Knowledge and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of the principles of budgeting and accounting. Knowledge of the principles of office management. Knowledge of the principles of supervision. Knowledge of office procedures and practices and uses of standard office equipment.

2. Ability to accept responsibility. Ability to analyze work-flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. Ability to prepare and interpret complex fiscal reports and records, recognize problems and effect solutions. Ability to plan, organize, and assign work. Ability to perform detailed work rapidly and accurately. Ability to supervise clerical workers in simple bookkeeping operations Ability to write and speak effectively. Ability to maintain satisfactory working relationships with professional and clerical staff and with the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience. A. Fiscal Supervisor I shall have:

1. A. high school degree, or the equivalent, and completion of two years of training in bookkeeping or accounting courses in a business school, college, or university, and two years of experience as an account clerk- or bookkeeper; or

OR

2. One year of account clerk or bookkeeper experience ~~as an account clerk~~ may be substituted for each year of college coursework-; or

OR

3. Any combination of the above experience and education.

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12 MCAR § 2.722 ~~Accounting Officer III~~ Fiscal Supervisor II.

A. Kind of work. Under general ~~administrative~~ supervision, a Fiscal Supervisor II directs the maintenance of all financial records and accounts in a medium or large county welfare or human services agency, supervises the preparation of periodic financial and statistical reports; prepares agency budget estimates and expenditures reports; and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and level of discretion of the incumbent.

B. Examples of work (illustrative only). Maintains ledgers. Compiles difficult and complex financial and statistical reports. Processes ~~and/or~~ approves processing of bills, requisitions, and receipts. Projects program costs for the agency and prepares or assists in the preparation of the agency budget. Prepares payrolls. May order office supplies and maintain an inventory of supplies. Develops new procedures when changes in state or county policies or programs occur affecting fiscal matters. Prepares Merit System forms and maintains personnel records. Assigns and supervises work of account clerks ~~and/or~~ clerical employees assigned to the accounting staff. Trains new accounting employees. Analyzes and interprets complex fiscal reports so that the information is available in useful form. Evaluates staff performance. Develops and maintains control procedures for handling of cash.

C. ~~Knowledge~~ Knowledge and abilities required.

1. Knowledge of accounting practices and procedures. Knowledge of business arithmetic. Knowledge of principles of budgeting and accounting. Knowledge of principles of office management. Knowledge of the principles of supervision. Knowledge of office procedures and practices and of use of standard office equipment.

2. Ability to accept responsibility. Ability to effectively plan, organize, and assign work. Ability to analyze work flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. Ability to perform detailed work rapidly and accurately. Ability to prepare and interpret complex fiscal reports and records, recognize problems, and effect solutions. Ability to write and speak effectively. Ability to maintain satisfactory working relationships with professional and clerical staff and the public. Ability to maintain confidentiality.

D. Minimum qualifications of education and experience.

1. A Fiscal Supervisor II must have a high school degree, or the equivalent, and ~~completion of~~ two years of training in bookkeeping or accounting courses in a business school, college, or university, and three years of experience ~~as either an Accounting Officer I or II, or the equivalent~~ in accounting or auditing.

OR

2. One year of experience ~~as an Accounting Officer I or II~~ in accounting or auditing may be substituted for each year of college coursework, up to a maximum of two years.

12 MCAR § 2.723 ~~Accountant I~~ Fiscal Supervisor III.

A. Kind of work. ~~Performs professional accounting work, assisting in auditing the accounts of departments and institutions under the jurisdiction of a county welfare board, or supervises an accounting unit of a county welfare board~~ Under general supervision, a Fiscal Supervisor III directs the maintenance of financial records and accounts in a large county welfare or human services agency; prepares agency budget estimates and expenditure reports; and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Assigns and supervises the work of ~~assistants~~ account clerks or clerical employees assigned to the accounting unit. ~~Assists in the auditing of the accounts of the welfare board and institutions of the county welfare board.~~ Supervises the disbursing of aid and payroll warrants and expense vouchers. Maintains ledgers. Compiles difficult and complex financial and statistical reports. Projects program costs for the agency and ~~prepares budget and reports.~~ ~~Assists in the initiation and development of work procedures and methods.~~ Supervises a group of clerical employees engaged in ~~mechanical count and tabulations.~~ Reconciles bank statements, ~~auditing and verifying grant pay rolls and rent checks,~~ Obtains and assembles data, schedules, and other necessary accounting information from banks, auditors, welfare agencies, individuals, and ~~division or units of the county welfare board.~~ Trains new employees. ~~Prepares Merit System forms and maintains personnel records.~~ Evaluates staff performance of ~~assigned staff.~~ Prepares or assists in the preparation of the agency budget. Develops new procedures when changes in state or county policies or programs occur which affect fiscal matters. Coordinates agency's purchasing so that all purchases are made within county and agency requirements. Plans and directs the computerization of systems applied to fiscal services to ensure efficient operation.

C. Knowledges and abilities required.

1. ~~Comprehensive~~ Knowledge of the principles of budgeting. ~~Thorough~~ Knowledge of the principles and practices of accounting. ~~Considerable~~ Knowledge of the principles of office management. ~~Considerable~~ Knowledge of the principles of supervision. ~~Considerable knowledge of administrative procedures in a county welfare program.~~ ~~Considerable~~ Knowledge of office procedures, practices, and uses of standard office equipment.

2. Ability to accept responsibility. Ability to effectively plan, organize, and assign work. Ability to analyze work-flow problems and to design and implement procedures to increase effectiveness and efficiency of employees. ~~Ability to perform detailed work rapidly and accurately~~ Ability to write and speak effectively. Ability to prepare and interpret complex fiscal records and reports, recognize problems, and effect solutions. Ability to supervise. Ability to maintain satisfactory working relationships with staff members and with the public.

D. Minimum qualifications of education and experience. A Fiscal Supervisor III shall have:

1. ~~Graduation~~ Graduated from an accredited four-year college, with a major in accounting or a closely related business field; or

OR

2. ~~Graduation~~ Graduated from a standard high school and have five years of successful full-time paid employment involving work in accounting and auditing.

12 MCAR § 2.724 ~~Accountant II~~ Fiscal Supervisor IV.

A. Kind of work. Under general ~~administrative~~ supervision, a Fiscal Supervisor IV performs professional accounting work and supervises a large staff of accounting, clerical, and ~~machine operator~~ data processing personnel in maintaining the financial records and reports of a large county welfare or human services department; supervises the maintenance of internal record-keeping procedures in relation to the purpose and functions of the agency; and performs related work as assigned.

The classification of a position will be determined by a biennial classification study and will depend, in part, on the size of the agency and the level of discretion of the incumbent.

B. Examples of work (illustrative only). Participates in the development of agency procedures relating to transmittal of information about financial actions in welfare cases. Plans and installs internal procedures in the accounting department. Supervises the operations of the several functional units within the accounting department, including the data processing ~~machine~~ section. Performs the more difficult and complex accounting entries, transactions, and reconciliations. Prepares operating statements, major periodic reports, and special reports as requested. Prepares or assists in preparing agency budget planning and preparation. ~~Participates in selection of~~ Selects personnel for the accounting departments and evaluates the performance of staff members. Coordinates agency's purchasing so that all purchases are made within county and agency requirements. Develops new procedures when changes in state or county policies occur which effect fiscal matters.

C. ~~Knowledges~~ Knowledge and abilities required.

1. ~~Thorough~~ Knowledge of the principles and practices of governmental accounting. ~~Thorough~~ Knowledge of office procedures, practices, and equipment. ~~Considerable~~ Knowledge of the uses and applications of data processing equipment. Knowledge of accounting theory and approved practices of fiscal management. Knowledge of the scope and purposes of agency operations.

2. Ability to plan, assign, and coordinate the work of a large number of employees. Ability to maintain good working relationships with staff members and other departments of the agency. Ability to direct and supervise the work of others. Ability to write and speak effectively. Ability to prepare and interpret complex fiscal records and reports, recognize problems and effect solutions. Ability to implement procedures to increase effectiveness and efficiency of employees.

D. Minimum qualifications of education and experience.

~~+~~ ~~Graduation~~ A Fiscal Supervisor IV shall have graduated from an accredited four-year college, with a major in accounting or business administration, and shall have three years of full-time paid experience as an accountant or auditor.

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12 MCAR § 2.729 Accounting Technician.

A. Kind of work. Under general supervision, an Accounting Technician does accounting work in a county welfare or human services agency, acts as a lead worker to other accounting staff and may supervise account clerks or clerk typists, and performs related work as assigned. The major difference between this classification and the Account Clerk classification is the greater emphasis on recognizing errors or problems and recommending alternative solutions, and less emphasis on transactional matters.

B. Examples of work. (Illustrative only) Journalize and summarize receipts and disbursements for general ledger. Monitor expenditures according to state, federal, and county regulations and guidelines. Correct or reconcile audit discrepancies. May perform more responsible payroll functions including payment for less than full-time employees. Assist supervisor of accounting unit with preparation of the budget. Complete reports to the state, including reports required for federal and state administrative reimbursement. Provide lead work direction to other bookkeeping and clerical employees which includes assigning and reviewing work and having input into performance evaluations of workers. Investigate errors or problems in the processing of fiscal transactions and recommend changes in procedures.

C. Knowledge and abilities required. Knowledge of accounting principles and practices. Knowledge of office terminology, procedures, and equipment. Knowledge of business arithmetic and simple mathematics. Ability to perform mathematical computations. Ability to follow written and oral detailed instructions. Ability to interpret bookkeeping records and documents and prepare information in summary form. Ability to understand fiscal procedural and transactional practices. Ability to analyze financial records and reports, locate errors and recommend solutions to procedural or other problems. Ability to maintain effective working relationships with supervisors, co-workers, and the public. Ability to operate a variety of office equipment. Ability to organize work efficiently. Ability to perform detailed work with speed and accuracy. Ability to work under pressure and willingness to accept responsibility for meeting deadlines.

D. Minimum qualifications of education and experience.

1. An Accounting Technician must have a high school diploma or the equivalent, and two years of experience as an account clerk or bookkeeper.

2. Completion of college coursework, vocational school, or business school in accounting may be substituted on a year-for-year basis for the account clerk or bookkeeping experience.

SUB-CHAPTER D—COMPENSATION PLAN

Approximate Monthly Salaries

12 MCAR § 2.840 Compensation plan (Public Welfare)—1981 1982

A. Professional

1. Plan A*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9	10
Accountant I	1315	1375	1434	1500	1570	1645	1717	1795	1876	
Accountant II	1570	1645	1717	1795	1876	1960	2049	2144	2242	2344
Adm. Asst. I	1466	1533	1606	1680	1754	1835	1915	2003	2096	2191
	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Adm. Asst. II	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Adm. Asst. III	1876	1960	2049	2144	2242	2344	2449	2565	2682	2804
	2026	2117	2213	2316	2421	2532	2645	2770	2897	
Adm. Services	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Adult Day Care	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Center Supvr.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Asst. Human	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Asst. Welfare	2449	2565	2682	2804	2927	3055	3188	3333	3484	
Director	2645	2770	2897	3028	3161	3299	3443	3600	3763	

PROPOSED RULES

Assoc. M.-&P.	1149	1203	1257	1315						
Analyst	1241	1299	1358	1420						
Auditor	1434	1500	1570	1645	1717	1795	1876	1960	2049	2144
	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Center	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
Coordinator	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Chemical	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
Dependency Coord.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Collection Services	1404	1466	1533	1606	1680	1754	1835	1915	2003	2096
Supvr. II	1516	1583	1656	1734	1814	1894	1982	2068	2163	2264
Community-Health	1466	1533	1606	1680	1754	1835	1915	2003	2096	2191
Serv. Supvr.	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Community-	1500	1570	1645	1717	1795	1876	1960	2049	2144	
Rela. Spec.	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Computer	1149	1203	1257	1315	1375	1434	1500			
Programmer	1241	1299	1358	1420	1485	1549	1620			
Day Care	1466	1533	1606	1680	1754	1835	1915	2003	2096	
Center. Supvr.	1583	1656	1734	1814	1894	1982	2068	2163	2264	
Dev. Achievement	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Center Dr.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dev. Achievement	1099	1149	1203	1257	1315	1375	1434	1500	1570	1645
Center Teacher	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Dev. Disabilities	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Coord.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dietitian	1149	1203	1257	1315	1375	1434	1500	1570	1645	
	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Dir. of Business	1754	1835	1915	2003	2096	2191	2292	2393		
Mgmt. I	1894	1982	2068	2163	2264	2366	2475	2584		
Dir. of Business	2144	2242	2344	2449	2565	2682	2804	2927	3055	
Mgmt. II	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Asst.	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Planning	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of Pub.	1434	1500	1570	1645	1717	1795	1876	1960	2049	
Hlth. Nurs. I	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Dir. of Soc.	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Services	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Dir. of	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Support Services	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Education	1375	1434	1500	1570	1645	1717	1795	1876	1960	
Supervisor	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Emp. Guid.	1099	1149	1203	1257	1315	1375	1434	1500	1570	
Couns. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	
Emp. Guid.	1149	1203	1257	1315	1375	1434	1500	1570	1645	
Couns. II	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Emp. Guid.	1203	1257	1315	1375	1434	1500	1570	1645	1717	
Couns. III	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Family Serv.	1257	1315	1375	1434	1500	1570	1645	1717		
Coord. II	1358	1420	1485	1549	1620	1696	1777	1854		

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PROPOSED RULES

Finan. Asst.	1466	1533	1606	1680	1754	1835	1915	2003	2096	2191
Supvr. III	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Finan. Asst.	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Supvr. IV	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Fiscal Supervisor	1485	1549	1620	1696	1777	1854	1939	2026	2117	
III										
Fiscal Supervisor	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
IV										
Home Care	1257	1315	1375	1434	1500	1570	1645	1717		
Coordinator	1358	1420	1485	1549	1620	1696	1777	1854		
Homemaker	1375	1434	1500	1570	1645	1717	1795	1876	1960	
Supervisor	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Human Services	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
Dir. I	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Human Services	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services	2242	2344	2449	2565	2682	2804	2927	3055	3188	
Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services	1466	1533	1606	1680	1754	1835	1915	2003	2096	2191
Supvr. I	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Marriage	1434	1500	1570	1645	1717	1795	1876	1960	2049	
Counselor	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Med.-Care	1203	1257	1315	1375	1434	1500	1570	1645	1717	
Advisor	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Med.-Serv.	1960	2049	2144	2242	2344	2449	2565	2682		
Adm.	2117	2213	2316	2421	2532	2645	2770	2897		
Mental Health	1315	1375	1434	1500	1570	1645	1717	1795	1876	
Worker	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Meth.-&-Proc.	1344	1404	1466	1533	1606	1680	1754	1835	1915	
Analyst	1452	1516	1583	1656	1734	1814	1894	1982	2068	
Meth.-&-Proc.	1570	1645	1717	1795	1876	1960	2049	2144	2242	
Supvr.	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Nursing Care	1203	1257	1315	1375	1434	1500	1570	1645	1717	
Advisor	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Nutrition Proj.	1099	1149	1203	1257	1315	1375	1434	1500	1570	1645
Asst. Dir.	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Nutrition	1466	1533	1606	1680	1754	1835	1915	2003	2096	2191
Proj. Dir.	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Occupa. Supvr.	1052	1099	1149	1203	1257	1315	1375	1434	1500	1570
Inst. I	1136	1187	1241	1299	1358	1420	1485	1549	1620	1696
Occupa. Supvr.	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Inst. II	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Office Manager	1099	1149	1203	1257	1315	1375	1434	1500	1570	
	1187	1241	1299	1358	1420	1485	1549	1620	1696	
Personnel	1099	1149	1203	1257	1315	1375	1434	1500	1570	1645
Officer	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Personnel	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
Director	1656	1734	1814	1894	1982	2068	2131	2264	2366	2475
Physical	1122	1175	1229	1284	1344	1404	1466	1533		
Therapist	1212	1269	1327	1387	1452	1516	1583	1656		
Planner (Human	1375	1434	1500	1570	1645	1717	1795	1876	1960	
Services)	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Policy/Program	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
Analyst	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Programmer	1375	1434	1500	1570	1645	1717	1795	1876		
Analyst	1485	1549	1620	1696	1777	1854	1939	2026		

PROPOSED RULES

Psychologist I	1315	1375	1434	1500	1570	1645	1717	1795	1876	
	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Psychologist II	1570	1645	1717	1795	1876	1960	2049	2144	2242	
	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Psychologist III	1835	1915	2003	2096	2191	2292	2393	2507		
	1982	2068	2163	2264	2366	2475	2584	2708		
Psychologist IV	2003	2096	2191	2292	2393	2507	2621	2742		
	2163	2264	2366	2475	2584	2708	2831	2961		
Pub. Health Educator I	1149	1203	1257	1315	1375	1434	1500	1570		
	1241	1299	1358	1420	1485	1549	1620	1696		
Pub. Health Educator II	1434	1500	1570	1645	1717	1795	1876	1960		
	1549	1620	1696	1777	1854	1939	2026	2117		
Public Health Nurse	1203	1257	1315	1375	1434	1500	1570			
	1299	1358	1420	1485	1549	1620	1696			
Pub. Hlth. Nurse (Team Leader)	1257	1315	1375	1434	1500	1570	1645			
	1358	1420	1485	1549	1620	1696	1777			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S., Deg.)	1099	1149	1203	1257	1315	1375				
	1241	1299	1358	1420	1485	1549				
Sanitarian I	1149	1203	1257	1315	1375					
	1241	1299	1358	1420	1485					
Sanitarian II	1257	1315	1375	1434	1500	1570	1645	1717		
	1358	1420	1485	1549	1620	1696	1777	1854		
Sr. Pub. Health Nurse	1315	1375	1434	1500	1570	1645	1717			
	1420	1485	1549	1620	1696	1777	1854			
Social Worker I	1099	1149	1203	1257	1315	1375	1434	1500	1570	1645
	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Social Worker II	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Social Worker III	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Social Worker Trainee	1004									
	1084									
Soc. Serv. Supvr. I	1466	1533	1606	1680	1754	1835	1915	2003	2096	2191
	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Soc. Serv. Supvr. II	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Soc. Welf. Supvr. III	1876	1960	2049	2144	2242	2344	2449	2565	2682	
	2026	2117	2213	2316	2421	2532	2645	2770	2897	
Soc. Welf. Supvr. Trainee	1404	1466	1533	1606	1680	1754				
	1516	1583	1656	1734	1814	1894				
Staff Trng. Supvr. I	1500	1570	1645	1717	1795	1876	1960	2049	2144	
	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Staff. Trng. Supvr. II	1645	1717	1795	1876	1960	2049	2144	2242	2344	
	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									

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PROPOSED RULES

Systems Prog.-	1570	1645	1717	1795	1876	1960	2049	2144		
Analyst	1696	1777	1854	1939	2026	2117	2213	2316		
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.									
Vol.-Serv.	1099	1149	1203	1257	1315	1375	1434	1500	1570	1645
Coord. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Vol.-Serv.	1375	1434	1500	1570	1645	1717	1795	1876	1960	
Coord. II	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Welfare	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Director I	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Welfare	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
Director II	1982	2068	2163	2264	2366	2475	2584	2708	2831	2961
Welfare	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Director III	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Welfare	2242	2344	2449	2565	2682	2804	2927	3055	3188	
Director IV	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Welfare	3055	3188	3333	3484	3641	3804	3983	4154	4440	
Director V	3299	3443	3600	3763	3932	4108	4302	4486	4795	
Work-Exp. &	1375	1434	1500	1570	1645	1717	1795	1876	1960	
Trng. Spec.	1485	1549	1620	1696	1777	1854	1939	2026	2117	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provision(s) of Minn. Stat. § 471.61.

2. Plan B*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9	10
Accountant I	1315	1375	1434	1500	1570	1645	1717	1795	1876	
Accountant II	1570	1645	1717	1795	1876	1960	2049	2144	2242	2344
Adm. Asst. I	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Adm. Asst. II	1680	1754	1835	1915	2003	2096	2191	2292	2393	2507
	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Adm. Asst. III	1960	2049	2144	2242	2344	2449	2565	2682	2804	
	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Adm. Services	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Director	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Adult Day Care	1257	1315	1375	1434	1500	1570	1645	1717	1795	1876
Center Supvr.	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Asst. Human	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Asst. Welfare	2449	2565	2682	2804	2927	3055	3188	3333	3484	
Director	2645	2770	2897	3028	3161	3299	3443	3600	3763	
Assoc. M.-&P.	1203	1257	1315	1375						
Analyst	1299	1358	1420	1485						
Auditor	1500	1570	1645	1717	1795	1876	1960	2049	2144	2242
	1620	1696	1777	1854	1939	2026	2117	2213	2316	2421
Center	1375	1434	1500	1570	1645	1717	1795	1876	1960	2049
Coordinator	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Chemical De-	1375	1434	1500	1570	1645	1717	1795	1876	1960	2049
pendency Coord.	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Collections	1466	1533	1606	1680	1754	1835	1915	2003	2096	2191
Services Supvr. II	1583	1656	1734	1814	1894	1982	2068	2163	2264	2366
Community-	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
Health Serv. Supvr.	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475

PROPOSED RULES

Community-Rela. Spec.	1570	1645	1717	1795	1876	1960	2049	2144	2242	
Computer Programmer	1299	1358	1420	1485	1549	1620	1696			
Day Care Center Supvr.	1533	1606	1680	1754	1835	1915	2003	2096	2191	
Dev. Achievement Center Dir.	1257	1315	1375	1434	1500	1570	1645	1717	1795	1876
Dev. Achievement Center Teacher	1149	1203	1257	1315	1375	1434	1500	1570	1645	1717
Dev. Disabilities Coord.	1257	1315	1375	1434	1500	1570	1645	1717	1795	1876
Dietitian	1203	1257	1315	1375	1434	1500	1570	1645	1717	
Dir. of Business Mgmt. I	1754	1835	1915	2003	2096	2191	2292	2393		
Dir. of Business Mgmt. II	2144	2242	2344	2449	2565	2682	2804	2927	3055	
Dir. of Financial Asst.	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Dir. of Planning	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Pub. Hlth. Nurs. I	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Dir. of Soc. Services	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Dir. of Support Services	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Education Supervisor	1434	1500	1570	1645	1717	1795	1876	1960	2049	
Emp. Guid. Couns. I	1149	1203	1257	1315	1375	1434	1500	1570	1645	
Emp. Guid. Couns. II	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Emp. Guid. Couns. III	1257	1315	1375	1434	1500	1570	1645	1717	1795	
Family Service Coord. II	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Finan. Asst. Supvr. III	1315	1375	1434	1500	1570	1645	1717	1795		
Finan. Asst. Supvr. IV	1420	1485	1549	1620	1696	1777	1854	1939		
Fiscal Supervisor III	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
Fiscal Supervisor IV	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Home Care Coordinator	1680	1754	1835	1915	2003	2096	2191	2292	2393	2507
Homemaker Supervisor	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Human Services Dir. I	1485	1549	1620	1696	1777	1854	1939	2026	2117	
	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
	1315	1375	1434	1500	1570	1645	1717	1795		
	1420	1485	1549	1620	1696	1777	1854	1939		
	1434	1500	1570	1645	1717	1795	1876	1960	2049	
	1549	1620	1696	1777	1854	1939	2026	2117	2213	
	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831

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PROPOSED RULES

Human Services	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services	2242	2344	2449	2565	2682	2804	2927	3055	3188	
Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
Supvr. I	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Marriage	1500	1570	1645	1717	1795	1876	1960	2049	2144	
Counselor	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Med.-Care	1257	1315	1375	1434	1500	1570	1645	1717	1795	
Advisor	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Med.-Serv.	2049	2144	2242	2344	2449	2565	2682	2804		
Adm.	2213	2316	2421	2532	2645	2770	2897	3028		
Mental Health	1375	1434	1500	1570	1645	1717	1795	1876	1960	
Worker	1485	1549	1620	1696	1777	1854	1939	2026	2117	2213
Meth.-&-Proc.	1404	1466	1533	1606	1680	1754	1835	1915	2003	
Analyst	1516	1583	1656	1734	1814	1894	1982	2068	2163	
Meth.-&-Proc.	1645	1717	1795	1876	1960	2049	2144	2242	2344	
Supvr.	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Nursing Care	1257	1315	1375	1434	1500	1570	1645	1717	1795	
Advisor	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Nutrition Proj.	1149	1203	1257	1315	1375	1434	1500	1570	1645	1717
Asst. Dir.	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Nutrition	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
Proj. Dir.	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Occupa. Supvr.	1099	1149	1203	1257	1315	1375	1434	1500	1570	1645
Inst. I	1187	1241	1299	1358	1420	1485	1549	1620	1696	1777
Occupa. Supvr.	1257	1315	1375	1434	1500	1570	1645	1717	1795	1876
Inst. II	1358	1420	1485	1549	1620	1696	1777	1854	1939	2026
Office	1149	1203	1257	1315	1375	1434	1500	1570	1645	
Manager	1241	1299	1358	1420	1485	1549	1620	1696	1777	
Personnel	1149	1203	1257	1315	1375	1434	1500	1570	1645	1717
Officer	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Personnel	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Director	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Physical	1175	1229	1284	1344	1404	1466	1533	1606		
Therapist	1269	1327	1387	1452	1516	1583	1656	1734		
Planner (Human	1434	1500	1570	1645	1717	1795	1876	1960	2049	
Services)	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Policy/Program	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Analyst	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Programmer	1434	1500	1570	1645	1717	1795	1876	1960		
Analyst	1549	1620	1696	1777	1854	1939	2026	2117		
Psychologist I	1375	1434	1500	1570	1645	1717	1795	1876	1960	
	1485	1549	1620	1696	1777	1854	1939	2026	2117	
Psychologist II	1645	1717	1795	1876	1960	2049	2144	2242	2344	
	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Psychologist III	1915	2003	2096	2191	2292	2393	2507	2621		
	2068	2163	2264	2366	2475	2584	2708	2831		
Psychologist IV	2096	2191	2292	2393	2507	2621	2742	2862		
	2264	2366	2475	2584	2708	2831	2961	3091		
Pub. Health	1203	1257	1315	1375	1434	1500	1570	1645		
Educator I	1299	1358	1420	1485	1549	1620	1696	1777		
Pub. Health	1500	1570	1645	1717	1795	1876	1960	2049		
Educator II	1620	1696	1777	1854	1939	2026	2117	2213		
Public Health	1257	1315	1375	1434	1500	1570	1645			
Nurse	1358	1420	1485	1549	1620	1696	1777			

PROPOSED RULES

Pub. Hlth. Nurse (Team Leader)	1315 <u>1420</u>	1375 <u>1485</u>	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>			
Registered Nurse (A.A. Deg., 3 yr. Dip., or B.S. Deg.)	1149	1203	1257	1315	1375	1434				
Sanitarian I	1203 <u>1299</u>	1257 <u>1358</u>	1315 <u>1420</u>	1375 <u>1485</u>	1434 <u>1549</u>					
Sanitarian II	1315 <u>1420</u>	1375 <u>1485</u>	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>	1795 <u>1939</u>		
Sr. Pub. Health Nurse	1375 <u>1485</u>	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>	1795 <u>1939</u>			
Social Worker I	1149 <u>1241</u>	1203 <u>1299</u>	1257 <u>1358</u>	1315 <u>1420</u>	1375 <u>1485</u>	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>
Social Worker II	1257 <u>1358</u>	1315 <u>1420</u>	1375 <u>1485</u>	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>	1795 <u>1939</u>	1876 <u>2026</u>
Social Worker III	1375 <u>1485</u>	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>	1795 <u>1939</u>	1876 <u>2026</u>	1960 <u>2117</u>	2049 <u>2213</u>
Social Worker Trainee	1004 <u>1084</u>									
Soc. Serv. Supvr. I	1533 <u>1656</u>	1606 <u>1734</u>	1680 <u>1814</u>	1754 <u>1894</u>	1835 <u>1982</u>	1915 <u>2068</u>	2003 <u>2163</u>	2096 <u>2264</u>	2191 <u>2366</u>	2292 <u>2475</u>
Soc Serv. Supvr. II	1680 <u>1814</u>	1754 <u>1894</u>	1835 <u>1982</u>	1915 <u>2068</u>	2003 <u>2163</u>	2096 <u>2264</u>	2191 <u>2366</u>	2292 <u>2475</u>	2393 <u>2584</u>	2507 <u>2708</u>
Soc. Welf. Supvr. III	1960 <u>2117</u>	2049 <u>2213</u>	2144 <u>2316</u>	2242 <u>2421</u>	2344 <u>2532</u>	2449 <u>2645</u>	2565 <u>2770</u>	2682 <u>2897</u>	2804 <u>3028</u>	
Soc. Welf. Supvr. Trainee	1466 <u>1583</u>	1533 <u>1656</u>	1606 <u>1734</u>	1680 <u>1814</u>	1754 <u>1894</u>	1835 <u>1982</u>				
Staff Trng. Supvr. I	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>	1795 <u>1939</u>	1876 <u>2026</u>	1960 <u>2117</u>	2049 <u>2213</u>	2144 <u>2316</u>	2242 <u>2421</u>	
Staff Trng. Supvr. II	1717 <u>1854</u>	1795 <u>1939</u>	1876 <u>2026</u>	1960 <u>2117</u>	2049 <u>2213</u>	2144 <u>2316</u>	2242 <u>2421</u>	2344 <u>2532</u>	2449 <u>2645</u>	
Student Soc. Worker (Intern)	Rate proposed by appointing authority.									
Student Soc. Worker (SWEP)	Rate proposed by appointing authority.									
Systems Prog. Analyst	1645 <u>1777</u>	1717 <u>1854</u>	1795 <u>1939</u>	1876 <u>2026</u>	1960 <u>2117</u>	2049 <u>2213</u>	2144 <u>2316</u>	2242 <u>2421</u>		
Trainee	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.									
Vol.-Serv. Coord. I	1149 <u>1241</u>	1203 <u>1299</u>	1257 <u>1358</u>	1315 <u>1420</u>	1375 <u>1485</u>	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>
Vol.-Serv. Coord. II	1434 <u>1549</u>	1500 <u>1620</u>	1570 <u>1696</u>	1645 <u>1777</u>	1717 <u>1854</u>	1795 <u>1939</u>	1876 <u>2026</u>	1960 <u>2117</u>	2049 <u>2213</u>	
Welfare Director I	1606 <u>1814</u>	1680 <u>1894</u>	1754 <u>1982</u>	1835 <u>2068</u>	1915 <u>2163</u>	2003 <u>2264</u>	2096 <u>2366</u>	2191 <u>2475</u>	2292 <u>2584</u>	2393 <u>2708</u>
Welfare Director II	1754 <u>1982</u>	1835 <u>2068</u>	1915 <u>2163</u>	2003 <u>2264</u>	2096 <u>2366</u>	2191 <u>2475</u>	2292 <u>2584</u>	2393 <u>2708</u>	2507 <u>2831</u>	2621 <u>2961</u>
Welfare Director III	2049 <u>2213</u>	2144 <u>2316</u>	2242 <u>2421</u>	2344 <u>2532</u>	2449 <u>2645</u>	2565 <u>2770</u>	2682 <u>2897</u>	2804 <u>3028</u>	2927 <u>3161</u>	
Welfare Director IV	2242 <u>2421</u>	2344 <u>2532</u>	2449 <u>2645</u>	2565 <u>2770</u>	2682 <u>2897</u>	2804 <u>3028</u>	2927 <u>3161</u>	3055 <u>3299</u>	3188 <u>3443</u>	

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PROPOSED RULES

Welfare	3055	3188	3333	3484	3641	3804	3983	4154	4440
Director V	3299	3443	3600	3763	3932	4108	4302	4486	4795
Work-Exp. &	1434	1500	1570	1645	1717	1795	1876	1960	2049
Trng. Spec.	1549	1620	1696	1777	1854	1939	2026	2117	2213

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

3. Plan C*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9	10
Accountant I	1315	1375	1434	1500	1570	1645	1717	1795	1876	
Accountant II	1570	1645	1717	1795	1876	1960	2049	2144	2242	2344
Adm. Asst. I	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Adm. Asst. II	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Adm. Asst. III	2049	2144	2242	2344	2449	2565	2682	2804	2927	
	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Adm. Services	2144	2242	2344	2449	2565	2682	2804	2927	3055	
Director	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Adult Day Care	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
Center supvr.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Asst. Human	1960	2049	2144	2242	2344	2449	2565	2682	2804	
Services Director	2117	2213	2316	2421	2532	2645	2770	2897	3028	
Asst. Welfare	2449	2565	2682	2804	2927	3055	3188	3333	3484	
Director	2645	2770	2897	3028	3161	3299	3443	3600	3763	
Assoc. M.-&-P.	1257	1315	1375	1434						
Analyst	1358	1420	1485	1549						
Auditor	1570	1645	1717	1795	1876	1960	2049	2144	2242	2344
	1696	1777	1854	1939	2026	2117	2213	2316	2421	2532
Center	1434	1500	1570	1645	1717	1795	1876	1960	2049	2144
Coordinator	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Chemical	1434	1500	1570	1645	1717	1795	1876	1960	2049	2144
Dependency Coord.	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316
Collections	1533	1606	1680	1754	1835	1915	2003	2096	2191	2292
Services Supvr. II	1656	1734	1814	1894	1982	2068	2163	2264	2366	2475
Community-	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Health Serv. Supvr.	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Community-	1645	1717	1795	1876	1960	2049	2144	2242	2344	
Rela. Spec.	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Computer	1257	1315	1375	1434	1500	1570	1645			
Programmer	1358	1420	1485	1549	1620	1696	1777			
Day Care	1606	1680	1754	1835	1915	2003	2096	2191	2292	
Center Supvr.	1734	1814	1894	1982	2068	2163	2264	2366	2475	
Dev. Achievement	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
Center Dir.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Dev. Achievement	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Center Teacher	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Dev. Disabil-	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
ities Coord.	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Dietitian	1257	1315	1375	1434	1500	1570	1645	1717	1795	
	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Dir. of Business	1754	1835	1915	2003	2096	2191	2292	2393		
Mgmt. I	1894	1982	2068	2163	2264	2366	2475	2584		

PROPOSED RULES

Dir. of Business	<u>2144</u>	<u>2242</u>	<u>2344</u>	<u>2449</u>	<u>2565</u>	<u>2682</u>	<u>2804</u>	<u>2927</u>	<u>3055</u>	
Mgmt. II	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Financial	<u>2144</u>	<u>2242</u>	<u>2344</u>	<u>2449</u>	<u>2565</u>	<u>2682</u>	<u>2804</u>	<u>2927</u>	<u>3055</u>	
Asst.	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of	<u>2144</u>	<u>2242</u>	<u>2344</u>	<u>2449</u>	<u>2565</u>	<u>2682</u>	<u>2804</u>	<u>2927</u>	<u>3055</u>	
Planning	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Pub.	1570	1645	1717	1795	1876	1960	2049	2144	2242	
Hlth. Nurs. I	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Dir. of Soc.	<u>2144</u>	<u>2242</u>	<u>2344</u>	<u>2449</u>	<u>2565</u>	<u>2682</u>	<u>2804</u>	<u>2927</u>	<u>3055</u>	
Serv.	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Dir. of Support	<u>2144</u>	<u>2242</u>	<u>2344</u>	<u>2449</u>	<u>2565</u>	<u>2682</u>	<u>2804</u>	<u>2927</u>	<u>3055</u>	
Services	2316	2421	2532	2645	2770	2897	3028	3161	3299	
Education	1500	1570	1645	1717	1795	1876	1960	2049	2144	
Supervisor	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Emp. Guid.	1203	1257	1315	1375	1434	1500	1570	1645	1717	
Couns. I	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Emp. Guid.	1257	1315	1375	1434	1500	1570	1645	1717	1795	
Couns. II	1358	1420	1485	1549	1620	1696	1777	1854	1939	
Emp. Guid.	1315	1375	1434	1500	1570	1645	1717	1795	1876	
Couns. III	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Family Serv.	1375	1434	1500	1570	1645	1717	1795	1876		
Coord. II	1485	1549	1620	1696	1777	1854	1939	2026		
Finan. Asst.	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Supvr. III	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Finan. Asst.	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
Supvr. IV	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Fiscal Supervisor	<u>1485</u>	<u>1549</u>	<u>1620</u>	<u>1696</u>	<u>1777</u>	<u>1854</u>	<u>1939</u>	<u>2026</u>	<u>2117</u>	
III										
Fiscal Supervisor	<u>1696</u>	<u>1777</u>	<u>1854</u>	<u>1939</u>	<u>2026</u>	<u>2117</u>	<u>2213</u>	<u>2316</u>	<u>2421</u>	<u>2532</u>
IV										
Home Care	1375	1434	1500	1570	1645	1717	1795	1876		
Coordinator	1485	1549	1620	1696	1777	1854	1939	2026		
Homemaker	1500	1570	1645	1717	1795	1876	1960	2049	<u>2144</u>	
Supervisor	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Human Services	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
Dir. I	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Human Services	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Dir. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Human Services	2242	2344	2449	2565	2682	2804	2927	3055	3188	
Dir. III	2421	2532	2645	2770	2897	3028	3161	3299	3443	
Human Services	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Supvr. I	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Marriage	1570	1645	1717	1795	1876	1960	2049	2144	2242	
Counselor	1696	1777	1854	1939	2026	2117	2213	2316	2421	
Med-Care	1315	1375	1434	1500	1570	1645	1717	1795	1876	
Advisor	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Med.-Serv.	<u>2144</u>	<u>2242</u>	<u>2344</u>	<u>2449</u>	<u>2565</u>	<u>2682</u>	<u>2804</u>	<u>2927</u>		
Adm.	2316	2421	2532	2645	2770	2897	3028	3161		
Mental Health	1434	1500	1570	1645	1717	1795	1876	1960	<u>2049</u>	
Worker	1549	1620	1696	1777	1854	1939	2026	2117	2213	2316

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PROPOSED RULES

Meth.-&-Proc.	1466	1533	1606	1680	1754	1835	1915	2003	2096	
Analyst	1583	1656	1734	1814	1894	1982	2068	2163	2264	
Meth.-&-Proc.	1717	1795	1876	1960	2049	2144	2242	2344	2449	
Supvr.	1854	1939	2026	2117	2213	2316	2421	2532	2645	
Nursing Care	1315	1375	1434	1500	1570	1645	1717	1795	1876	
Advisor	1420	1485	1549	1620	1696	1777	1854	1939	2026	
Nutrition	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Proj. Asst. Dir.	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Nutrition	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Proj. Dir.	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Occupa. Supvr.	1149	1203	1257	1315	1375	1434	1500	1570	1645	1717
Inst. I	1241	1299	1358	1420	1485	1549	1620	1696	1777	1854
Occupa. Supvr.	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
Inst. II	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117
Office Manager	1203	1257	1315	1375	1434	1500	1570	1645	1717	
	1299	1358	1420	1485	1549	1620	1696	1777	1854	
Personnel	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Officer	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Personnel	1680	1754	1835	1915	2003	2096	2191	2292	2393	2507
Director	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Physical	1257	1315	1375	1434	1500	1570	1645	1717		
Therapist	1358	1420	1485	1549	1620	1696	1777	1854		
Planner (Human	1500	1570	1645	1717	1795	1876	1960	2049	2144	
Services)	1620	1696	1777	1854	1939	2026	2117	2213	2316	
Policy/Program	1680	1754	1835	1915	2003	2096	2191	2292	2393	2507
Analyst	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
Programmer	1500	1570	1645	1717	1795	1876	1960	2049		
Analyst	1620	1696	1777	1854	1939	2026	2117	2213		
Psychologist I	1434	1500	1570	1645	1717	1795	1876	1960	2049	
	1549	1620	1696	1777	1854	1939	2026	2117	2213	
Psychologist	1717	1795	1876	1960	2049	2144	2242	2344	2449	
II	1854	1939	2026	2117	2213	2316	2421	2532	2645	
Psychologist	2003	2096	2191	2292	2393	2507	2621	2742		
III	2163	2264	2366	2475	2584	2708	2831	2961		
Psychologist	2191	2292	2393	2507	2621	2742	2862	2989		
IV	2366	2475	2584	2708	2831	2961	3091	3228		
Pub. Health	1257	1315	1375	1434	1500	1570	1645	1717		
Educator I	1358	1420	1485	1549	1620	1696	1777	1854		
Pub. Health	1570	1645	1717	1795	1876	1960	2049	2144		
Educator II	1696	1777	1854	1939	2026	2117	2213	2316		
Public Health	1344	1404	1466	1533	1606	1680	1754			
Nurse	1452	1516	1583	1656	1734	1814	1894			
Pub. Hlth.	1404	1466	1533	1606	1680	1754	1835			
Nurse (Team Leader)	1516	1583	1656	1734	1814	1894	1982			
Registered Nurse (A.A.	1229	1284	1344	1404	1466	1533				
Deg., 3 yr. Dip., or B.S.	1387	1452	1516	1583	1656	1734				
Deg.)										
Sanitarian I	1257	1315	1375	1434	1500					
	1358	1420	1485	1549	1620					
Sanitarian II	1375	1434	1500	1570	1645	1717	1795	1876		
	1485	1549	1620	1696	1777	1854	1939	2026		
Sr. Pub.	1466	1533	1606	1680	1754	1835	1915			
Health Nurse	1583	1656	1734	1814	1894	1982	2068			
Social	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
Worker I	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
Social	1315	1375	1434	1500	1570	1645	1717	1795	1876	1960
Worker II	1420	1485	1549	1620	1696	1777	1854	1939	2026	2117

PROPOSED RULES

Social Worker III	1434	1500	1570	1645	1717	1795	1876	1960	2049	2144
Social Worker Trainee	1004									
Soc. Serv. Supvr. I	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
Soc. Serv. Supvr. II	1734	1814	1894	1982	2068	2163	2264	2366	2475	2584
Soc. Welf. Supvr. III	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
Soc. Welf. Supvr. I	1894	1982	2068	2163	2264	2366	2475	2584	2708	2831
Staff Trng. Supvr. I	2049	2144	2242	2344	2449	2565	2682	2804	2927	
Staff Trng. Supvr. II	2213	2316	2421	2532	2645	2770	2897	3028	3161	
Student Soc. Worker (Intern)	1533	1606	1680	1754	1835	1915				
Student Soc. Worker (SWEP)	1656	1734	1814	1894	1982	2068				
Systems Prog.-Analyst	1645	1717	1795	1876	1960	2049	2144	2242	2344	
Trainee	1777	1854	1939	2026	2117	2213	2316	2421	2532	
Vol.-Serv. Coord. I	1795	1876	1960	2049	2144	2242	2344			
Vol.-Serv. Coord. II	1939	2026	2117	2213	2316	2421	2532	2645	2770	
Director I Welfare	Rate proposed by appointing authority.									
Director II Welfare	Rate proposed by appointing authority.									
Director III Welfare	1717	1795	1876	1960	2049	2144	2242	2344		
Director IV Welfare	1854	1939	2026	2117	2213	2316	2421	2532		
Director V Welfare	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.									
Work;-Exp. & Trng. Spec.	1203	1257	1315	1375	1434	1500	1570	1645	1717	1795
	1299	1358	1420	1485	1549	1620	1696	1777	1854	1939
	1500	1570	1645	1717	1795	1876	1960	2049	2144	
	1620	1696	1777	1854	1939	2026	2117	2213	2316	
	1606	1680	1754	1835	1915	2003	2096	2191	2292	2393
	1814	1894	1982	2068	2163	2264	2366	2475	2584	2708
	1754	1835	1915	2003	2096	2191	2292	2393	2507	2621
	1982	2068	2163	2264	2366	2475	2584	2708	2831	2961
	2049	2144	2242	2344	2449	2565	2682	2804	2927	
	2213	2316	2421	2532	2645	2770	2897	3028	3161	
	2242	2344	2449	2565	2682	2804	2927	3055	3188	
	2421	2532	2645	2770	2897	3028	3161	3299	3443	
	3055	3188	3333	3484	3641	3804	3983	4154	4440	
	3299	3443	3600	3763	3932	4108	4302	4486	4795	
	1500	1570	1645	1717	1795	1876	1960	2049	2144	
	1620	1696	1777	1854	1939	2026	2117	2213	2316	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

B. Support personnel

1. Plan A*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county welfare board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9
Account Clerk	805	841	880	921	962	1004	1052	1099	
	869	908	950	995	1039	1084	1136	1187	

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PROPOSED RULES

Accounting Officer I	1004	1052	1099	1149	1203	1257	1315	1375	1434	
Accounting Officer II	1099	1149	1203	1257	1315	1375	1434	1500	1570	
Accounting Officer III	1229	1284	1344	1404	1466	1533	1606	1680	1754	
Accounting Technician	929	973	1017	1063	1109	1161	1212	1269		
Adult Day Care Center Prog. Coord.	821	860	901	942	984	1027	1075	1122	1175	
Asst. Residential Facility Opr. (s)	887	929	973	1017	1063	1109	1161	1212	1269	
Case Aide	659	686	719	753	786	821	860	901		
	712	741	777	813	849	887	929	973		
	821	860	901	942	984	1027	1075	1122	1175	
	887	929	973	1017	1063	1109	1161	1212	1269	
Chemical Dependency Counselor	1052	1099	1149	1203	1257	1315	1375			
Child Health Aide	1136	1187	1241	1299	1358	1420	1485			
Child Support Officer I	719	753	786	821	860	901	942	984		
Child Support Officer II	777	813	849	887	929	973	1017	1063		
Collection Services Supvr. I	1004	1052	1099	1149	1203	1257	1315	1375	1434	
Community-Service Aide	1084	1136	1187	1241	1299	1358	1420	1485	1549	
Coordinator of Aging	1122	1175	1229	1284	1344	1404	1466	1533		
Dev. Achievement Center Inst.	1212	1269	1327	1387	1452	1516	1583	1656		
Family Service Aide I	1284	1344	1404	1466	1533	1606	1680	1754		
Family Service Aide II	1387	1452	1516	1583	1656	1734	1814	1894		
Family Service Coord. I	552	579	606	632	659	686	719			
Family Service /Home Health Aide	596	625	654	683	712	741	777			
Finan.-Assistance Specialist	841	880	921	962	1004	1052	1099	1149	1203	
Finan.-Assistance Supvr. I	908	950	995	1039	1084	1136	1187	1241	1299	
Finan.-Assistance Suvr. II	659	686	719	753	786	821				
Financial Worker I	712	741	777	813	849	887				
Financial Worker II	632	659	686	719	753	786	821			
Fiscal Officer	712	741	777	813	849	887				
Fiscal Supervisor I	901	942	984	1027	1075	1122	1175			
Fiscal Supervisor II	973	1017	1063	1109	1161	1212	1269			
Home Health Aide	632	659	686	719	753	786	821			
Home Health Aide Coordinator	712	741	777	813	849	887				
	901	942	984	1027	1075	1122	1175			
	973	1017	1063	1109	1161	1212	1269			

	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.									
Housekeeper										
Housing Coordinator	1027	1075	1122	1175	1229	1284	1344	1404	1466	
	1109	1161	1212	1269	1327	1387	1452	1516	1583	
Licensed Practical Nurse	821	860	901	942	984	1027				
	950	995	1039	1084	1136	1187				
Public Health Aide	552	579	606	632	659	686	719			
	596	625	654	683	712	741	777			
Residential Facility Operator(s)	686	719	753	786	821	860	901	942		
	741	777	813	849	887	929	973	1017		
Senior Case Aide	921	962	1004	1052	1099	1149	1203	1257	1315	
	995	1039	1084	1136	1187	1241	1299	1358	1420	
Senior Citizen's Aide	552	579	606	632	659	686	719			
	596	625	654	683	712	741	777			
Transportation Coordinator	841	880	921	962	1004	1052	1099	1149		
	908	950	995	1039	1084	1136	1187	1241		
Welfare Fraud Investigator	1284	1344	1404	1466	1533	1606	1680			
	1387	1452	1516	1583	1656	1734	1814			
Welfare Fraud Unit Supervisor	1404	1466	1533	1606	1680	1754	1835			
	1516	1583	1656	1734	1814	1894	1982			

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

2. Plan B*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9
Account Clerk	841	880	921	962	1004	1052	1099	1149	
	908	950	995	1039	1084	1136	1187	1241	
Accounting Officer I	1004	1052	1099	1149	1203	1257	1315	1375	1434
Accounting Officer II	1099	1149	1203	1257	1315	1375	1434	1500	1570
Accounting Officer III	1229	1284	1344	1404	1466	1533	1606	1680	1754
Accounting Technician	973	1017	1063	1109	1161	1212	1269	1327	
Adult Day Care	860	901	942	984	1027	1075	1122	1175	1229
Center Prog. Coord.	929	973	1017	1063	1109	1161	1212	1269	1327
Asst. Residential Facility Opr. (s)	686	719	753	787	821	860	901	942	
	741	777	813	849	887	929	973	1017	
Case Aide	860	901	942	984	1027	1075	1122	1175	1229
	929	973	1017	1063	1109	1161	1212	1269	1327
Chemical Dependency Counselor	1099	1149	1203	1257	1315	1375	1434		
	1187	1241	1299	1358	1420	1485	1549		
Child Health Aide	753	786	821	860	901	942	984	1027	
	813	849	887	929	973	1017	1063	1109	
Child Support Officer I	1052	1099	1149	1203	1257	1315	1375	1434	1500
	1136	1187	1241	1299	1358	1420	1485	1549	1620
Child Support Officer II	1175	1229	1284	1344	1404	1466	1533	1606	
	1269	1327	1387	1452	1516	1583	1656	1734	
Collection Services Supvr. I	1344	1404	1466	1533	1606	1680	1754	1835	
	1452	1516	1583	1656	1734	1814	1894	1982	

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PROPOSED RULES

Community-Service Aide	579	606	632	659	686	719	753		
Coordinator of Aging	880	921	962	1004	1052	1099	1149	1203	1257
	950	995	1039	1084	1136	1187	1241	1299	1358
Dev. Achievement Center Inst.	686	719	753	786	821	860			
Family Service Aide I	741	777	813	849	887	929			
Family Service Aide II	659	686	719	753	786	821	860		
Family Service Coord. I	741	777	813	849	887	929			
Family Service/Home Health Aide	719	753	786	821	860	901	942	984	
Finan.-Assistance Specialist	813	849	887	929	973	1017	1063	1109	
Finan.-Assistance Supvr. I	942	984	1027	1075	1122	1175	1229		
Finan.-Assistance Supvr. II	1017	1063	1109	1161	1212	1269	1327		
Financial Worker I	659	686	719	753	786	821	860		
Financial Worker II	741	777	813	849	887	929			
Fiscal Officer	1099	1149	1203	1257	1315	1375	1434	1500	
Fiscal Supervisor I	1187	1241	1299	1358	1420	1485	1549	1620	
Fiscal Supervisor II	1229	1284	1344	1404	1466	1533	1606	1680	1754
Home Health Aide	1387	1452	1516	1583	1656	1734	1814	1894	1982
	1344	1404	1466	1533	1606	1680	1754	1835	1915
	1516	1583	1656	1734	1814	1894	1982	2068	2163
	860	901	942	984	1027	1075	1122	1175	1229
	929	973	1017	1063	1109	1161	1212	1269	1327
	962	1004	1052	1099	1149	1203	1257	1315	1375
	1039	1084	1136	1187	1241	1299	1358	1420	1485
	1136	1187	1241	1299	1358	1420	1485	1549	1620
	1241	1299	1358	1420	1485	1549	1620	1696	1777
	1387	1452	1516	1583	1656	1734	1814	1894	1982
	659	686	719	753	786	821	860		
	741	777	813	849	887	929			
	942	984	1027	1075	1122	1175	1229		
	1017	1063	1109	1161	1212	1269	1327		
	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.								
	1075	1122	1175	1229	1284	1344	1404	1466	1533
	1161	1212	1269	1327	1387	1452	1516	1583	1656
	860	901	942	984	1027	1075			
	995	1039	1084	1136	1187	1241			
	579	606	632	659	686	719	753		
	625	654	683	712	741	777	813		
	719	753	786	821	860	901	942	984	
	777	813	849	887	929	973	1017	1063	
	962	1004	1052	1099	1149	1203	1257	1315	1375
	1039	1084	1136	1187	1241	1299	1358	1420	1485
	579	606	632	659	686	719	753		
	625	654	683	712	741	777	813		
	880	921	962	1004	1052	1099	1149	1203	
	950	995	1039	1084	1136	1187	1241	1299	
	1344	1404	1466	1533	1606	1680	1754		
	1452	1516	1583	1656	1734	1814	1894		
	1466	1533	1606	1680	1754	1835	1915		
	1583	1656	1734	1814	1894	1982	2068		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

3. Plan C*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

PROPOSED RULES

a. Class of positions-

	1	2	3	4	5	6	7	8	9
Account Clerk	880	921	962	1004	1052	1099	1149	1203	
	950	995	1039	1084	1136	1187	1241	1299	
Accounting Officer I	1004	1052	1099	1149	1203	1257	1315	1375	1434
Accounting Officer II	1099	1149	1203	1257	1315	1375	1434	1500	1570
Accounting Officer III	1229	1284	1344	1404	1466	1533	1606	1680	1754
Accounting Technician	1017	1063	1109	1161	1212	1269	1327	1387	
Adult Day Care Center Prog. Coord.	901	942	984	1027	1075	1122	1175	1229	1284
Asst. Residential Facility Opr.(s)	973	1017	1063	1109	1161	1212	1269	1327	1387
Case Aide	719	753	786	821	860	901	942	984	
	777	813	849	887	929	973	1017	1063	
	901	942	984	1027	1075	1122	1175	1229	1284
	973	1017	1063	1109	1161	1212	1269	1327	1387
Chemical Dependency Counselor	1149	1203	1257	1315	1375	1434	1500		
Child Health Aide	1241	1299	1358	1420	1485	1549	1620		
Child Support Officer I	786	821	860	901	942	984	1027	1075	
Child Support Officer II	849	887	929	973	1017	1063	1109	1161	
Collection Services Supvr. I	1099	1149	1203	1257	1315	1375	1434	1500	1570
Community-Service Aide	1187	1241	1299	1358	1420	1485	1549	1620	1696
Coordinator of Aging	1229	1284	1344	1404	1466	1533	1606	1680	
	1327	1387	1452	1516	1583	1656	1734	1814	
	1404	1466	1533	1606	1680	1754	1835	1915	
	1516	1583	1656	1734	1814	1894	1982	2068	
	606	632	659	686	719	753	786		
	654	683	712	741	777	813	849		
	921	962	1004	1052	1099	1149	1203	1257	1315
	995	1039	1084	1136	1187	1241	1299	1358	1420
Dev. Achievement Center Inst.	719	753	786	821	860	901			
Family Service Aide I	777	813	849	887	929	973			
Family Service Aide II	686	719	753	786	821	860	901		
Family Service Coord. I	777	813	849	887	929	973			
Family Service/Home Health Aide	753	786	821	860	901	942	984	1027	
Finan.-Assistance Specialist	849	887	929	973	1017	1063	1109	1161	
Finan.-Assistance Supvr. I	984	1027	1075	1122	1175	1229	1284		
Finan.-Assistance Supvr. II	1063	1109	1161	1212	1269	1327	1387		
Financial Worker I	686	719	753	786	821	860	901		
Financial Worker II	777	813	849	887	929	973			
Fiscal Officer	1149	1203	1257	1315	1375	1434	1500	1570	
Fiscal Supervisor I	1241	1299	1358	1420	1485	1549	1620	1696	
	1284	1344	1404	1466	1533	1606	1680	1754	1835
	1452	1516	1583	1656	1734	1814	1894	1982	2068
	1404	1466	1533	1606	1680	1754	1835	1915	2003
	1583	1656	1734	1814	1894	1982	2068	2163	2264
	901	942	984	1027	1075	1122	1175	1229	1284
	973	1017	1063	1109	1161	1212	1269	1327	1387
	1004	1052	1099	1149	1203	1257	1315	1375	1434
	1084	1136	1187	1241	1299	1358	1420	1485	1549
	1136	1187	1241	1299	1358	1420	1485	1549	1620
	1241	1299	1358	1420	1485	1549	1620	1696	1777

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PROPOSED RULES

Fiscal Supervisor II	1387	1452	1516	1583	1656	1734	1814	1894	1982
Home Health Aide	686	719	753	786	821	860	901		
	777	813	849	887	929	973			
Home Health Aide Coordinator	984	1027	1075	1122	1175	1229	1284		
Housekeeper	1063	1109	1161	1212	1269	1327	1387		
Housing Coordinator	Rate proposed by appointing authority and approved by the merit system supervisor and the Commissioner of Public Welfare.								
	1122	1175	1229	1284	1344	1404	1466	1533	1606
	1212	1269	1327	1387	1452	1516	1583	1656	1734
Licensed Practical Nurse	901	942	984	1027	1075	1122			
Public Health Aide	606	632	659	686	719	753	786		
	654	683	712	741	777	813	849		
Residential Facility Operator(s)	753	786	821	860	901	942	984	1027	
Senior Case Aide	813	849	887	929	973	1017	1063	1109	
	1004	1052	1099	1149	1203	1257	1315	1375	1434
	1084	1136	1187	1241	1299	1358	1420	1485	1549
Senior Citizen's Aide	606	632	659	686	719	753	786		
	654	683	712	741	777	813	849		
Transportation Coordinator	921	962	1004	1052	1099	1149	1203	1257	
Welfare Fraud Investigator	995	1039	1084	1136	1187	1241	1299	1358	
Welfare Fraud Unit Supervisor	1404	1466	1533	1606	1680	1754	1835		
	1516	1583	1656	1734	1814	1894	1982		
	1533	1606	1680	1754	1835	1915	2003		
	1656	1734	1814	1894	1982	2068	2163		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

C. Clerical

1. Plan A*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9
Bkbp. Machine Operator	636	657	679	702	725	747	770	795	823
Clerical Supervisor	704	734	766	801	839	877	917	959	
Clerk I	795	823	852	881	913	946	981	1015	1052
Clerk II	857	895	937	982	1027	1073	1119	1172	
Clerk III	566	584	602	619	636	657	679	702	725
Clerk-Typist I (+)	616	645	676	704	734	766	801	839	
Clerk-Typist II	636	657	679	702	725	747	770	795	823
Clerk-Typist III	704	734	766	801	839	877	917	959	
Clerk Specialist	725	747	770	795	823	852	881	913	946
Clerk-Steno I	784	821	857	895	937	982	1027	1073	
Clerk-Steno II	584	602	619	636	657	679	702	725	747
	645	676	704	734	766	801	839	877	
	636	657	679	702	725	747	770	795	823
	704	734	766	801	839	877	917	959	
	725	747	770	795	823	852	881	913	946
	784	821	857	895	937	982	1027	1073	
	823	852	881	913	946	981	1015	1052	1092
	857	895	937	982	1027	1073	1119	1172	
	619	636	657	679	702	725	747	770	795
	676	704	734	766	801	839	877	917	
	679	702	725	747	770	795	823	852	881
	766	801	839	877	917	959	1004	1049	

PROPOSED RULES

Clerk-Steno III	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>
	821	857	895	937	982	1027	1073	1119	
Information	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>
Systems Specialist	784	821	857	895	937	982	1027	1073	
Key punch	<u>619</u>	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>
Operator	676	704	734	766	801	839	877	917	
Swbd. Opr. I	<u>602</u>	<u>619</u>	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>
	704	734	766	801	839	877	917	959	
Swbd. Opr. II	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>
	748	784	821	857	895	937	982	1027	

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(+) Employees in this the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

2. Plan B*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9
Bkcp. Machine	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>
Operator	801	839	877	917	959	1004	1049		
Clerical	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>	<u>1092</u>
Supervisor	982	1027	1073	1119	1172	1223	1281		
Clerk I	<u>584</u>	<u>602</u>	<u>619</u>	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>
	704	734	766	801	839	877	917		
Clerk II	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>
	801	839	877	917	959	1004	1049		
Clerk III	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>
	895	937	982	1027	1073	1119	1172		
Clerk-Typist I (+)	<u>602</u>	<u>619</u>	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>
	734	766	801	839	877	917	959		
Clerk-Typist II	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>
	801	839	877	917	959	1004	1049		
Clerk-Typist III	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>
	895	937	982	1027	1073	1119	1172		
Clerk Specialist	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>	<u>1092</u>	<u>1132</u>
	982	1027	1073	1119	1172	1223	1281		
Clerk-Steno I	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>
	766	801	839	877	917	959	1004		
Clerk-Steno II	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>
	877	917	959	1004	1049	1094	1147		
Clerk-Steno III	<u>770</u>	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>
	937	982	1027	1073	1119	1172	1223		
Information	<u>795</u>	<u>823</u>	<u>852</u>	<u>881</u>	<u>913</u>	<u>946</u>	<u>981</u>	<u>1015</u>	<u>1052</u>
Systems Specialist	895	937	982	1027	1073	1119	1172		
Key punch	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>	<u>823</u>
Operator	766	801	839	877	917	959	1004		
Swbd. Opr. I	<u>619</u>	<u>636</u>	<u>657</u>	<u>679</u>	<u>702</u>	<u>725</u>	<u>747</u>	<u>770</u>	<u>795</u>
	801	839	877	917	959	1004	1049		

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.

PROPOSED RULES

Swbd. Opr. II	657	679	702	725	747	770	795	823	852
	857	895	937	982	1027	1073	1119		

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(+) Employees in this the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

3. Plan C*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61.

a. Class of positions

	1	2	3	4	5	6	7	8	9
Bkcp. Machine Operator	679	702	725	747	770	795	823	852	881
Clerical Supervisor	852	881	913	946	981	1015	1052	1092	1132
Clerk I	602	619	636	657	679	702	725	747	770
Clerk II	679	702	725	747	770	795	823	852	881
Clerk III	770	795	823	852	881	913	946	981	1015
Clerk-Typist I (+)	619	636	657	679	702	725	747	770	795
Clerk-Typist II	679	702	725	747	770	795	823	852	881
Clerk-Typist II	770	795	823	852	881	913	946	981	1015
Clerk Specialist	881	913	946	981	1015	1052	1092	1132	1174
Clerk-Steno I	657	679	702	725	747	770	795	823	852
Clerk-Steno II	725	747	770	795	823	852	881	913	946
Clerk-Steno III	795	823	852	881	913	946	981	1015	1052
Information Systems Specialist	823	852	881	913	946	981	1015	1052	1092
Keypunch Operator	657	679	702	725	747	770	795	823	852
Swbd. Opr. I	636	657	679	702	725	747	770	795	823
Swbd. Opr. II	679	702	725	747	770	795	823	852	881

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(+) Employees in this the class of Clerk-Typist I who are assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

4. Plan D*

a. Class of Positions

	1	2	3	4	5	6	7	8	9
Bkcp. Machine Operator	702	725	747	770	795	823	852	881	913
Clerical Supervisor	881	913	946	981	1015	1052	1092	1132	1174
Clerk I	619	636	657	679	702	725	747	770	795

PROPOSED RULES

Clerk II	702	725	747	770	795	823	852	881	913
Clerk III	795	823	852	881	913	946	981	1015	1052
Clerk-Typist I (1)	636	657	679	702	725	747	770	795	823
Clerk-Typist II	702	725	747	770	795	823	852	881	913
Clerk-Typist III	795	823	852	881	913	946	981	1015	1052
Clerk-Specialist	913	946	981	1015	1052	1092	1132	1174	1219
Clerk-Steno I	679	702	725	747	770	795	823	852	881
Clerk-Steno II	747	770	795	823	852	881	913	946	981
Clerk-Steno III	823	852	881	913	946	981	1015	1052	1092
Information Systems Specialist	852	881	913	946	981	1015	1052	1092	1132
Keypunch Operator	679	702	725	747	770	795	823	852	881
Swbd. Operator I	657	679	702	725	747	770	795	823	852
Swbd. Operator II	702	725	747	770	795	823	852	881	913

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

5. Plan E*

a. Class of Positions

	1	2	3	4	5	6	7	8
Bkdp. Machine Operator	747	770	795	823	852	881	913	946
Clerical Supervisor	946	981	1015	1052	1092	1132	1174	1219
Clerk I	657	679	702	725	747	770	795	823
Clerk II	747	770	795	823	852	881	913	946
Clerk III	852	881	913	946	981	1015	1052	1092
Clerk-Typist I (1)	679	702	725	747	770	795	823	852
Clerk-Typist II	747	770	795	823	852	881	913	946
Clerk-Typist III	852	881	913	946	981	1015	1052	1092
Clerk-Specialist	981	1015	1052	1092	1132	1174	1219	1266
Clerk-Steno I	725	747	770	795	823	852	881	913
Clerk-Steno II	795	823	852	881	913	946	981	1015
Clerk-Steno III	881	913	946	981	1015	1052	1092	1132
Information Systems Specialist	913	946	981	1015	1052	1092	1132	1174
Keypunch Operator	725	747	770	795	823	852	881	913
Swbd. Operator I	702	725	747	770	795	823	852	881
Swbd. Operator II	747	770	795	823	852	881	913	946

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(1) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

6. Plan F*

a. Class of Positions

	1	2	3	4	5	6	7	8
Bkdp. Machine Operator	770	795	823	852	881	913	946	981
Clerical Supervisor	981	1015	1052	1092	1132	1174	1219	1266

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PROPOSED RULES

Clerk I	702	725	747	770	795	823	852	881
Clerk II	770	795	823	852	881	913	946	981
Clerk III	881	913	946	981	1015	1052	1092	1132
Clerk-Typist I (+)	725	747	770	795	823	852	881	913
Clerk-Typist II	770	795	823	852	881	913	946	981
Clerk-Typist III	881	913	946	981	1015	1052	1092	1132
Clerk-Specialist	1015	1052	1092	1132	1174	1219	1266	1314
Clerk-Steno I	747	770	795	823	852	881	913	946
Clerk-Steno II	823	852	881	913	946	981	1015	1052
Clerk-Steno III	913	946	981	1015	1052	1092	1132	1174
Information Systems Specialist	946	981	1015	1052	1092	1132	1174	1219
Keypunch Operator	770	795	823	852	881	913	946	981
Swbd. Operator I	725	747	770	795	823	852	881	913
Swbd. Operator II	770	795	823	852	881	913	946	981

*The salary steps herein shall not include any amounts paid by any county welfare board under the provisions of Minn. Stat. § 471.61.

(+) Employees in this class assigned on a full-time basis to transcribing machine operation may be paid within the county range for Clerk-Stenographer I.

D. Maintenance and trades

1. Plan A*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

a. Class of positions

	1	2	3	4	5	6	7
Auto Driver	681	711	742	772	806	840	877
	735	768	801	834	870	907	947
Bus Driver	742	772	806	840	877	913	951
	801	834	870	907	947	986	1027
Janitor (+)	742	772	806	840	877	913	951
	801	834	870	907	947	986	1027
Laborer	\$4.26/hour						
	\$4.60/hour						
Maintenance Worker	772	806	840	877	913	951	994
	834	870	907	947	986	1027	1074

2. Plan B*. The following salary steps in monthly salary amounts shall be applicable to the specified classes of positions. The salary steps shall not include any amounts paid by any county board under Minn. Stat. § 471.61. Janitors who are required to work for a period of at least five hours after 6 p.m. on a regularly scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.

a. Class of positions

	1	2	3	4	5	6	7
Auto Driver	877	913	951	994	1036	1080	1128
	947	986	1027	1074	1119	1166	1218
Bus Driver	913	951	994	1036	1080	1128	1176
	986	1027	1074	1119	1166	1218	1270
Janitor (+)	877	913	951	994	1036	1080	1128
	947	986	1027	1074	1119	1166	1218
Laborer	\$5.25/hour						
	\$5.67/hour						
Maintenance Worker	951	994	1036	1080	1128	1176	1227
	1027	1074	1119	1166	1218	1270	1325

~~*The salary steps herein shall not include any amount paid by any county welfare board under the provisions of Minn. Stat. § 471.61.~~

(1) ~~Employees who are required to work for a period of at least five hours after 6 P.M. on a regular scheduled basis may be paid a shift differential in the amount of one salary step above their normal day-work rate.~~

12 MCAR § Provisions for computing monthly, hourly, less-than-full-time, bi-weekly, and four week salary rates.

A. Salary conversion tables.

~~+~~ The supervisor shall publish a salary conversion table as part of the Minnesota Merit System Manual. The table shall list all existing salary rates listed in 12 MCAR § 2.840. For those salary rates, the supervisor shall calculate hourly, daily and payroll period salaries for each of the salary rates listed. This table shall be based on an 8-hour day, 40-hour week and 2088-hour year. Agencies with a normal work schedule which varies from an 8-hour day, 40-hour week or 2088-hour year or agencies with payroll periods other than once every two weeks, every four weeks, or every month, shall supply the supervisor with a salary conversion table as provided in ~~12 MCAR § 2.516 B.1.e.~~ 12 MCAR § 2.494 F.2.c. or in 12 MCAR § 2.517 B.2.

Repealer. 12 MCAR §§ 2.508; 2.516; and 2.530-2.804 are repealed.

ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 15.0412, subd. 4, have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

A temporary rule becomes effective upon the approval of the Attorney General as specified in Minn. Stat. § 15.0412, subd. 5. Notice of his decision will be published as soon as practicable, and the adopted temporary rule will be published in the manner provided for adopted rules under subd. 4.

Minnesota Energy Agency Alternative Energy Development Division

Adopted Temporary Rule Governing Certification of Solar Collectors to Qualify Renewable Energy Source Expenditures for the Minnesota Individual Income Tax Residential Energy Credit (6 MCAR § 2.1500)

The temporary rule proposed and published at *State Register*, Volume 5, Number 34, pp. 1305-06, February 23, 1981 (5 S.R. 1305), is adopted by the Energy Agency without change.

Temporary Rule as Adopted

6 MCAR § 2.1500 (Temporary) Solar collector certification. Any solar collector included in a renewable energy source expenditure after December 31, 1980, shall be deemed certified by the Minnesota Energy Agency for purposes of Minn. Stat. § 290.06, subd. 14 (1980), so long as the expenditure qualifies for the federal renewable energy source residential credit of Section 44C of the Internal Revenue Code of 1954 (26 U.S.C. § 44C), as amended through December 31, 1978, and any regulation promulgated pursuant thereto.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

ADOPTED RULES

Department of Public Safety Driver & Vehicle Services Division

Adopted Rules Governing Standards for Administration of Driver License Laws Pertaining to Physical or Mental Qualifications (11 MCAR §§ 1.4092-1.4099)

The rules proposed and published at *State Register*, Volume 5, Number 42, pp. 1631-1636, April 20, 1981 (5 S.R. 1631) are adopted with the following modifications:

Rules as Adopted

Chapter Nine:
Standards for Administration of Driver License Laws
Pertaining to Physical or Mental Qualifications

11 MCAR § 1.4092 Purpose and scope.

A. Purpose. This chapter ~~is to set~~ sets out general standards for effective administration of the driver licensing statutes relating to the issuance, restriction or denial of driving privileges with respect to persons having physical or mental disabilities under Minn. Stat. §§ 171.04; 171.13 and 171.14.

B. Scope. These rules are intended to be confined within the framework of, and consistent with, the provisions of Chapter 171 of Minnesota Statutes.

C. Definitions. When used in these rules, the following phrase shall have the following meaning: "Good cause to believe" : means grounds put forth in good faith which are not arbitrary, irrational, unreasonable or irrelevant and which are based on at least one of the following sources:

1. Written information from an identified person;
2. Facts supplied by the driver or applicant;
3. Facts of which the commissioner or his employees or agents have personal knowledge.

12 MCAR § 1.4093 Vision.

A. General. Every applicant shall submit to a vision screening or examination. The screening device, designed to screen 20/40 or better corrected vision, shall be of a type accepted by the American Medical Association. The purpose of the vision screening is:

1. To screen each applicant to guarantee that those individuals with substandard vision are required to take the necessary steps required to achieve the best vision possible.
2. To deny driving privileges to those whose vision is likely to interfere with the safe operation of motor vehicles in traffic.

B. Corrective lenses not required. Except as otherwise provided herein, no corrective lenses will be required where the applicant:

1. Scores 20/40 or better, with either one or both eyes, without corrective lenses;
2. Has one eye, but scores 20/40 or better, without corrective lenses; or
3. Has the recommendation of an eye specialist that corrective lenses not be worn. In these cases, the commissioner shall either require the applicant to be examined further, ~~to~~ or impose suitable restrictions upon his driving privileges or both.

C. Corrective lens requirement. Corrective lenses shall be required in all cases when:

1. The applicant scores less than 20/40 with ~~either one or~~ both eyes unassisted but scores 20/40 or better with corrective lenses;
2. The applicant submits a physician's statement, in a form as may be prescribed by the commissioner, indicating that the applicant scores 20/40 or better with either eye, or both eyes together, but where the physician recommends that the applicant wear corrective lenses; or
3. The applicant is blind in one eye and scores less than 20/40 with the other eye unassisted, but scores 20/40 or better with corrective lenses.

D. Vision examinations. Any applicant shall be required to submit a vision report from a physician in a form as prescribed by the commissioner when:

1. The applicant disagrees with the results of the screening conducted by any driver examiner;
2. The applicant has cataracts;
3. The driver examiner is unable to determine the extent of the applicant's vision;
4. Any court or police officer has recommended that the applicant's vision be examined;
5. The commissioner determines, in some other situation, when he has good cause to believe that an examination is warranted;
6. The applicant has strabismus; or
7. The applicant has double vision.

E. Vision restricted licenses. Applicants who score 20/50 or less corrected vision with either one usable eye or with two eyes shall, if otherwise eligible, be issued a restricted license to permit driving subject to the following restrictions:

1. Speed restrictions

20/50	—	55 miles per hour
20/60	—	50 miles per hour
20/70	—	45 miles per hour

When the applicant scores 20/80 to 20/100 corrected vision, the application will be referred to the Chief Evaluator who shall determine whether a restricted license can be issued and the kinds of restrictions which are necessary to ensure that the applicant does not pose an unreasonable safety risk to himself or others. When the applicant scores 20/100 or less corrected vision, or is known to be receiving assistance for the blind, all privileges shall be denied and any existing license cancelled under authority of Minn. Stat. §§ 171.14 and 171.04 (9).

2. Restriction as to type of road. Any applicant subject to speed restrictions under Paragraph E.1. may also be restricted to those roads having a maximum speed limit equal to the maximum speed limit imposed upon the applicant, if the commissioner determines that the restriction is necessary for the safety of the applicant and the public. Any person limited to a maximum speed of 45 m.p.h. or less shall be restricted from driving on any freeway, expressway, or limited access highway with a speed limit of more than 45 m.p.h.

3. Area restrictions. Any applicant who scores 20/50 or less corrected vision with both eyes may be restricted to driving within an area to be determined by the commissioner, if the commissioner determines that the restriction is necessary for the safety of the applicant and the public.

F. Other situations. Any vision readings or problems not covered by the above general standards shall be referred to the Chief Evaluator, who shall determine whether a restricted license can be issued and the kinds of restrictions which are necessary to ensure that the applicant does not pose an unreasonable safety risk to himself or others.

11 MCAR § 1.4094 Loss of consciousness or voluntary control.

A. General. This rule applies to all drivers and applicants for driving privileges who suffer from any paroxysmal disturbances of consciousness, including, but not limited to, epilepsy. Any person suffering from ~~narcolepsy~~ or syncope of any cause, as well as any type of periodic or episodic loss of consciousness or voluntary control, is included. This rule applies regardless of whether the driver or applicant has an "aura" or warning of imminent seizure or attack or whether the driver or applicant has only had nocturnal attacks, and no exceptions shall be made for such drivers or applicants.

B. Physician's report. When the commissioner has good cause to believe that a driver or applicant suffers from any of the periods of unconsciousness mentioned in A. above, a physician's report in such form as the commissioner may prescribe shall be required within 30 days or within such reasonable time that the person may require to obtain the report from the physician. This report shall include a sworn statement from the driver or applicant as to the date of his last period of unconsciousness.

C. Criteria for cancellation. If this report is not filed, or, if upon review of the doctor's report the commissioner finds that the individual has suffered from periods of unconsciousness, with the last period of unconsciousness occurring within the last 12 months, all driving privileges shall be cancelled under the authority of Minn. Stat. § 171.14 and denied under authority of Minn. Stat. § 171.04 (9). The person shall not be issued any driving privileges until the commissioner finds that the person is competent to drive safely.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

ADOPTED RULES

D. Criteria for reinstatement. For reinstatement the commissioner shall require a satisfactory doctor's report and a satisfactory sworn statement from the person stating the date of the last period of unconsciousness and that it occurred at least 12 months previously.

E. Review of driver's condition. Except as otherwise provided below, any driver suffering from medical conditions subject to this rule shall be required to submit an annual physician's statement in the form prescribed by the commissioner, with respect to his medical history, present situation, and the prognosis with respect to the applicant's ability to operate a motor vehicle with safety to himself and others.

1. When the commissioner has good cause to doubt the stability of the driver's condition, the commissioner shall require physician's statements every six months, or at such shorter intervals as recommended by the reporting physician.

2. After three successive annual physician's statements indicating no episodes of loss of voluntary control, while on medication, the commissioner shall require a physician's report every four years, unless the physician recommends more frequent reports.

~~4-~~ 3. When the physician's statement indicates that an episode of loss of voluntary control resulted from a change or removal of medication on the physician's orders, the commissioner will not cancel the privilege to drive. However, a physician's statement shall be required every six months until the person has been episode-free for not less than one year.

~~5-~~ 4. When the physician reports that there has been only one such episode, the procedure shall be as indicated in ~~Paragraph E.4. above~~ 3.

11 MCAR § 1.4095 Diabetes.

A. General. When the commissioner has good cause to believe that a driver or applicant has diabetes, or has experienced a loss of voluntary control due to either insulin reaction or acidosis, a physician's report shall be required within 30 days or within such reasonable time that the person may require to obtain the report from the physician. If the physician's statement is not filed, or, if upon review of the report from the physician the commissioner finds that a person cannot drive safely, all driving privileges shall be cancelled under authority of Minn. Stat. § 171.14 and denied under authority of Minn. Stat. § 171.04 (9). The person shall not be issued any driving privileges until the commissioner finds that the person is competent to drive safely. For reinstatement, the commissioner shall require a satisfactory physician's report, demonstrating the individual is competent to drive safely.

B. Insulin control. When the driver or applicant uses insulin to control diabetes, a physician's statement shall be required annually in the form prescribed by the commissioner. If the person remains free of episodes of loss of voluntary control due to insulin reaction or acidosis, for a period of 5 years, the physician's report shall be required every two years, unless the physician recommends more frequent reports. If the person remains episode-free for three of these two-year review periods, the physician's report shall be required every four years unless the physician recommends more frequent reports. If there is an episode of loss of voluntary control, the physician's report shall be required every six months, until the person has been episode-free for one year.

11 MCAR § 1.4096 Mental illness or deficiency.

A. For the purposes of this section, good cause to believe exists only if the commissioner has:

1. Information that a person has operated a vehicle in an unsafe manner, or
2. Information that a person lacks judgment and coordination to safely operate a vehicle based on competent medical authority, or
3. Facts supplied by the driver or applicant.

B. When the commissioner has good cause to believe that a person is mentally ill, incompetent or deficient, and that the mental illness, incompetency or deficiency will affect the person in a manner to prevent him from exercising reasonable and ordinary control over a motor vehicle while operating it upon the highways, a physician's statement, in such form as the commissioner may prescribe, shall be required within 30 days or in such reasonable time that a person may require to obtain a physician's statement. If the physician's statement is not filed, or, if upon review of the report from the physician the commissioner finds that a person cannot drive safely, all driving privileges shall be cancelled under authority of Minn. Stat. § 171.14 and denied under authority of Minn. Stat. § 171.04 (5) or (9). The person shall not be issued any driving privileges until the commissioner finds that the person is competent to drive safely.

C. For reinstatement, the commissioner shall require a satisfactory statement from any institution in which the person has been treated, from any treating physician, or from any competent ~~medical~~ authority ~~acceptable to the commissioner,~~ demonstrating that the individual is competent to drive safely.

11 MCAR § 1.4097 Miscellaneous physical or mental conditions.

A. When the commissioner has good cause to believe that any of the situations listed in B. exist, and would adversely affect the driver's or applicant's ability to drive safely, a physician's statement in such form as the commissioner may prescribe, shall be required within 30 days, or in such reasonable time that a person may require to obtain a physician's statement. If the physician's statement is not filed, or, if upon review of the statement the commissioner finds that the person cannot drive safely, all driving privileges shall be cancelled under authority of Minn. Stat. § 171.13 ~~(4)~~, subd. 4, or Minn. Stat. § 171.14 and denied under authority of Minn. Stat. § 171.04 (9). The person shall not be issued any driving privileges until the commissioner finds that the person is competent to drive safely.

B. Situations covered by paragraph A. are:

1. Use of any medication, whether or not prescribed.
2. Any disease that raises reasonable doubts as to the person's ability to drive safely.
3. Use of alcohol or controlled substances.
4. Lack of physical control, such as that manifested by fainting or dizzy spells, blackouts or periods of unconsciousness.
5. Lack of physical endurance, such as that manifested by a person subject to fatigue, exhaustion, nervous tension, or adverse reaction to monotony.
6. Abnormal reflexes, such as those manifested by persons suffering from cerebral palsy, multiple sclerosis, Parkinson's disease, or similar conditions.

C. When the commissioner has good cause to doubt the adequacy of the driver's or applicant's ability to safely operate a vehicle under the conditions listed in D., a driver's license examination shall be required within 30 days or within such reasonable time that a person may need to obtain a driver's test. If the driver's test is not satisfactorily completed within 30 days, or in such reasonable time as the person may require to obtain an examination, all driving privileges shall be cancelled under the authority of Minn. Stat. § 171.13 and denied under the authority of Minn. Stat. § 171.04. For reinstatement, the commissioner shall require proof of satisfactory completion of the driver's test.

D. Conditions covered by ~~paragraph~~ C. are:

1. Driver procedures;
2. Judgment of space, time and motion;
3. Physical strength to operate a vehicle's controls;
4. Physical condition to operate a vehicle.

11 MCAR § 1.4098 Other restricted licenses.

A. Issuance. When a person has failed, after three attempts, to pass the driver's license examination, but can establish a genuine need to be able to drive, he may apply for a restricted license. All such applications shall be referred to the Chief Driver Evaluator. The applicant must undergo examination by an examining supervisor, who shall determine the risk involved, and forward his/her written recommendations, including, when applicable, suggested basic restrictions, to the Chief Driver Examiner for forwarding to the Chief Driver Evaluator. The Chief Driver Evaluator shall review the entire record and determine whether any driving privileges may be authorized.

B. Cancellation. Any restricted licenses issued shall be subject to cancellation whenever the commissioner determines that the person has violated the restrictions imposed. The commissioner may notify local law enforcement agencies of the issuance of any special restricted license and of the restrictions involved. Any report of a violation of the restrictions shall be referred to the Chief Driver Evaluator for consideration. Any conviction indicating a violation of the restrictions shall result in cancellation. After cancellation no driving privileges may be allowed until the commissioner determines that the licensee can be trusted to operate within the restrictions imposed. Any reinstatement may be conditioned upon compliance with additional restrictions for such period as the commissioner may direct.

11 MCAR § 1.4099 Medical review board.

A. Composition. A medical review board shall be established for each of the various general types of physical and mental

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qualifications dealt with by these rules. Each medical review board shall consist of one or more licensed physicians nominated by the state medical association. The physicians shall preferably be specialists in the area to which the problem relates.

B. Variance.

1. When a person disagrees with the determination of the commissioner, he may apply, in writing, for a variance from ~~rules to~~ 11 MCAR §§ 1.4092-1.4098.

2. A variance from statutory standards shall not be granted. A variance, other than from statutory standards, shall be granted to any person who establishes, under the individual circumstances in that person's case, that the person can operate a motor vehicle safely, with reasonable and ordinary control, and without posing a danger inimical to public safety or welfare.

3. Any applicant applying for a variance shall have his treating physician or physicians provide the commissioner with a complete medical history relating to the condition in question, together with good medical reasons why a variance should be granted. The commissioner shall then forward to the appropriate medical review board all information submitted by the applicant together with the commissioner's records relating to the matter. Each physician on the review board shall review the file and make his recommendation to the chairman of the review board, who shall communicate the recommendation of the board, whether unanimous or divided, to the commissioner.

4. Upon receipt of the recommendation of the review board, the commissioner shall reconsider the application, take whatever action he then deems appropriate, and inform the driver or the applicant of his decision; and, if the decision differs from the recommendation of the review board, and of the reasons for the decision. This decision shall be reached and the applicant informed of the decision within 60 days of the request for a variance.

SUPREME COURT

Decisions Filed Friday, October 23, 1981

Compiled by John McCarthy, Clerk

50870/356 (1980) Minneapolis Association of Administrators and Consultants v. Minneapolis Special School District No. 1, Appellant. Hennepin County.

A public employer's procedure for determining which supervisory positions are to be divested of administrative functions is a matter of inherent managerial policy. Therefore, the public employer is not obligated to meet and negotiate with the exclusive representative of its supervisory employees concerning the procedure. Minn. Stat. § 179.66, subd. 1 (1976).

Reversed and remanded. Peterson, J. Dissenting, Scott, Todd, Yetka, and Wahl, JJ.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

Department of Economic Security Balance of State Private Industry Council

Notice of Request for Proposals for Employment Generating Services

The Minnesota Balance of State Private Industry Council (BOS PIC) is soliciting proposals for "Employment Generating Services" that are not directly related to the immediate provision of training for employment for participants but which are intended to result in the creation or expansion of employment opportunities for persons eligible under CETA.

The proposals must provide activities in one or more of the following activities:

- A. Coordinate programs to enable individuals to work for a private employer while attending an education or training program.
- B. Provide follow-up services with employers who hire CETA clients.
- C. Coordinate PIC activities with employment and training activities performed by public and private agencies.
- D. Provide follow-up services with employees placed in private employment.
- E. Develop apprenticeship or high skill training programs where they don't exist in the BOS.
- F. Increase opportunities for upgrading from entry level jobs by providing services to employees and employer beyond initial training.

For further information or a copy of the complete RFP, contact:

Patrick J. Cruik, PIC Coordinator
Minnesota Department of Economic Security
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

The last date that proposals will be accepted is November 20, 1981.

The BOS PIC has set aside a total of \$200,000 for this solicitation.

State Board of Investment

Notice of Request for Proposals for an Investment Advisor to Advise the State Board of Investment and Its Staff

The State Board of Investment is requesting proposals from investment advisory firms for the purpose of selecting an advisor to advise the board and its staff on investment strategy and the making of investment decisions for funds managed by the state (presently approximately \$4.1 billion).

This procurement is undertaken by the State Board pursuant to the provisions of Minnesota Statutes § 16.098. The State Board shall select the consultant whose proposal and oral presentation, if requested, demonstrate clear capability to best fulfill the purpose of the RFP in a cost effective manner. The State Board reserves the right to accept or reject proposals in whole or in part and to negotiate separately as necessary to serve the best interests of the state.

All interested vendors should contact the person named below by letter or telephone to request a copy of the Request for Proposal.

STATE CONTRACTS

Carolyn Peabody, Chairperson
SBI Evaluation Committee
Room 180, State Office Building
Saint Paul, Minnesota 55155
Telephone: (612) 296-2309

All proposals must be submitted to the address listed below on or before 4:30 p.m., November 30, 1981. NO PROPOSALS RECEIVED AFTER THAT DATE WILL BE CONSIDERED.

Howard Bicker
Acting Executive Director
State Board of Investment
Room 105, MEA Building
55 Sherburne Avenue
Saint Paul, Minnesota 55155

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Minnesota State Agricultural Society Minnesota State Fair

Meeting Notice

The board of managers of the Minnesota State Agricultural Society, governing body of the Minnesota State Fair, will conduct a business meeting at 10 a.m. Friday, Nov. 13, at the Administration Building on the fairgrounds, St. Paul. Preceding the general meeting will be a meeting of the board's space rental committee at 9:30 a.m.

Department of Commerce Insurance Division

Petitions by the Workers' Compensation Insurers Rating Association of Minnesota for Changes in the Basic Manual for Workers' Compensation and Employers' Liability Insurance

Notice of and Order for Hearing

I Background

On August 20, 1981 and September 1, 1981, the Workers' Compensation Insurers Rating Association of Minnesota (hereinafter WCIRA) filed petitions to amend the Basic Manual for Workers' Compensation Employers' Liability Insurance (hereinafter manual). The manual contains rules governing the issuing, underwriting, classification, and auditing of workers' compensation risks and policies within the state of Minnesota.

The proposed amendments to the manual, as alleged in the petitions of the WCIRA, would make changes in the manual clarifying the interpretation and definitions given to Manual classification codes relating to: mail delivery service; carrier system maintenance; pipe bending and cutting; recreational resorts, hotels, motels, or camps; restaurants; hospitals; automobile rental companies; wallboard installation; camera repair shops; pump installation; and air conditioning systems.

The classification change would amend the following classification codes: 3111, 3724, 3385, 4923, 5183, 5403, 5538, 5445, 7219, 7231, 7382, 8802, 9054, 9079, 9156, and 9180.

In addition, the proposed amendments to the manual would: withdraw from the supplement to the retropremium endorsement for planned hospital contribution, change the minimum loss limitation for retrospective rating plan losses, would allow the charging to former workers' compensation self-insurers of a premium surcharge of 10% of the standard earned premium, would provide for a new, broad, all states coverage and other states coverage endorsement.

II Findings and Conclusions

Based upon the petitions of the WCIRA in this matter, the commissioner FINDS and CONCLUDES that:

1. The petitions for hearing set forth sufficient facts and information indicating the need for amendment of the manual.

III Order

1. It is hereby ordered that a hearing shall be held to consider the facts and issues raised by the Workers' Compensation Insurers Rating Association of Minnesota (WCIRA) petitions of as authorized in Minn. Stat. § 79.076, subd. 2(2); 79.071; and 79.072. The hearing shall be conducted before Hearing Examiner Jon Lunde, Office of Administrative Hearings, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, 296-5938.

2. The hearing in this matter will be held for the purpose of providing the petitioner, WCIRA, with an opportunity to present evidence in support of amendments to the manual requested in their petitions. The hearing will be conducted as a contested case hearing according to the procedures set forth in Minn. Stat. §§ 15.0411-15.052; 79.076, subd. 2(2); 79.071; 79.072 and pursuant to 9 MCAR §§ 2.101-2.199.

3. Throughout the proceedings in this matter, interested parties may be represented by legal counsel or by a person or representative of their choice. Questions concerning the hearing should be directed to the hearing examiner. Questions concerning this order, concerning discovery or concerning an informal disposition of this matter may be directed to the hearing examiner or to John Byork, 1100 Bremer Tower, 7th and Minnesota Street, St. Paul, Minnesota 55101, 296-9412.

IV Notice of Prehearing Conference

1. Notice is hereby given that a prehearing conference will be held at 9:00 a.m. on December 10, 1981 at 1745 University Avenue, St. Paul, Minnesota before the hearing examiner. This prehearing conference will be held for the purpose of establishing a hearing date for this matter, and to consider any pretrial motions.

2. Any person or organization who intends to appear at the prehearing must file a Notice of Appearance with the hearing examiner within 20 days of the publication of this notice. In addition, public comments may be presented at the hearing either orally or in writing. If no person contests the proposals or the petitions, they may be deemed true. In the event the proposals are taken as true or the issues are deemed proven, it is possible that the proposed amendments to the manual requested by the WCIRA will be granted.

3. Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, Subd. 11 (1979 Supp.) as any individual:

- (a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

- (b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, 296-5615.

4. Copies of the proposed amendments to the manual may be obtained from the Workers' Compensation Insurers Rating Association of Minnesota, 510 Marquette Avenue, Minneapolis, Minnesota 55402, 338-4500. In addition, copies may be inspected during regular business hours at the Minnesota Insurance Division, Department of Commerce, 500 Metro Square Building, St. Paul, Minnesota 55101.

Michael D. Markman
Commissioner of Insurance

Environmental Quality Board

Notice of Intent to Solicit Outside Opinions or Information Concerning Proposed Rules Governing the Operating Procedures for the Environmental Quality Board

Pursuant to Minn. Stat. § 15.0412, subd. 6, notice is hereby given that the Minnesota Environmental Quality Board is soliciting information and opinions from sources outside the agency for the purpose of adopting rules governing the Operating Procedures for the Minnesota Environmental Quality Board. Such rules are authorized by Minn. Stat. § 116C.04, subd. 5 (1980).

Any person desiring to submit information or comment on the subject may do so either orally or in writing. All statements of information and comment must be received by December 9, 1981. Any written material received by this date will become part of the record.

Written or oral information and comment should be addressed to:

Shirley M. Dougherty, Administrator
Environmental Quality Board
Room 100, Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-2723

October 26, 1981

Robert Benner, Chairman
Environmental Quality Board

Minnesota Housing Finance Agency

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Demonstration Program for Medium Density Home Ownership Program

Notice is hereby given that the Minnesota Housing Finance Agency is seeking information or opinions from sources outside the agency in preparing to promulgate new rules governing the Demonstration Program for Medium Density Home Ownership Program. The promulgation of these rules is authorized by Minnesota Statutes § 462A.06, subdivision 11, which permits the agency to adopt temporary rules to implement demonstration programs for the financing of residential housing.

The Minnesota Housing Finance Agency requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Monte Aaker, Research Coordinator
Research Division
Minnesota Housing Finance Agency
Suite 200—Nalpak Building
333 Sibley Street
St. Paul, Minnesota 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-9952 and in person at the above address.

All statements of information and comment shall be accepted until November 23, 1981. Any written material received by the Minnesota Housing Finance Agency shall become part of the record in the event that the rules are promulgated.

Dated: October 26, 1981

James J. Solem
Executive Director

Department of Labor and Industry Workers' Compensation Division

Notice of Intent to Solicit Outside Opinions on Workers' Compensation Division Rules of Practice

Request for Public Comment

Pursuant to the provisions of Minnesota Statute § 15.0412, subd. 6, notice is hereby given that the Department of Labor and Industry, Workers' Compensation Division, is seeking information and opinions in preparing to propose the adoption of permanent rules of practice for the Department of Labor and Industry, Workers' Compensation Division. All interested persons shall be afforded an opportunity to submit data or views on the rules in writing or orally. Any written material received shall become part of a subsequent hearing's record. Data and views are to be submitted to:

Arthur H. Anderson, Assistant Commissioner
Department of Labor and Industry
Workers' Compensation Division
444 Lafayette Road
St. Paul, Minnesota 55101
Telephone: (612) 296-6490

All data and views are to be submitted by no later than November 13, 1981, to be considered for the proposed rules. Data and views received subsequent to that date will be received and considered during the normal hearing process but will be too late for consideration for the proposed rules.

Pollution Control Agency

Applications by the Cities of Ashby and Evansville for Variances from 6 MCAR § 4.8014 C.6. for their Existing and Proposed Municipal Waste Water Treatment Facilities

Notice Of and Order for Hearing

It is hereby ordered and notice is hereby given that a consolidated hearing concerning the above-entitled matters will be held on Wednesday, December 2, 1981, at the Evansville City Hall, Evansville, Minnesota 56326, beginning at 7:00 p.m. and continuing until all persons have had an opportunity to be heard.

The purpose of this hearing will be to consider testimony and evidence bearing on the applications of the Cities of Ashby and Evansville for variances from 6 MCAR § 4.8014 C.6., which establishes an effluent phosphorus concentration of one milligram per liter where discharge of the effluent is directly to or affects a lake or reservoir, for the operation of their existing and proposed wastewater treatment facilities. The central issues raised by the variance applications are: (1) the extent of economic burden imposed by the phosphorus limitation; and, (2) the extent of adverse impact upon the receiving waters if a variance is granted. In addition, any other issues germane to the consideration of the variance applications will be heard. The applications for variances submitted by Ashby and Evansville are available for inspection at the Minnesota Pollution Control Agency, 1935 W. Co. Rd. B2, Roseville, Minnesota 55113, (612) 296-7396 and the Minnesota Pollution Control Agency Regional Office, 116 East Front Street, Detroit Lakes, Minnesota 56501, (218) 847-2164.

The City of Ashby currently operates a wastewater treatment facility consisting of an Imhoff tank and sludge drying bed which discharges approximately .0514 million gallons of effluent per day directly into Little Lake. The effluent phosphorus concentration is approximately 3.2 milligrams per liter. The city's treatment facility is located in the E ½ of the NE ¼ of Section 10, Pelican Lake Township, T130, R41W, Grant County. The city has proposed to upgrade its wastewater treatment facility by constructing an oxidation ditch system with continued use of Little Lake as the receiving water for treated effluent. The City of Ashby seeks the variance from 6 MCAR § 4.8014 C.6. for an indefinite period of time.

The City of Evansville currently operates a wastewater treatment facility consisting of a contact aeration tank, a chlorine contact tank, and sludge drying beds which discharges approximately .066 million gallons of effluent per day to an unnamed stream one-third mile upstream from Fanny Lake. The effluent phosphorus concentration is approximately 4 milligrams per liter. The city's treatment facility is located in the NW ¼ of the SW ¼ of Section 11, Evansville Township, T129N, R40W, Douglas County. The city has proposed to upgrade its treatment facility to secondary treatment but with continued discharge to the unnamed stream and Fanny Lake. The City of Evansville seeks the variance from 6 MCAR § 4.8014 C.6. for an indefinite period of time.

OFFICIAL NOTICES

The Minnesota Pollution Control Agency is authorized to hold the hearing and grant the requested variances pursuant to Minn. Stat. § 116.07(5) (1980), 6 MCAR § 4.3006, and 6 MCAR § 4.8014 A.9.

The hearing will be held before Howard L. Kaibel, Jr., a hearing examiner appointed by the chief hearing examiner of the State of Minnesota. The hearing examiner's address is Office of Administrative Hearings, Room 300, 1745 University Avenue, Saint Paul, Minnesota (612) 296-8107. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411-15.052 (1980) and 9 MCAR § 2.201-2.299 (the rules of the Office of Administrative Hearings) and, to the extent they do not conflict, 6 MCAR §§ 4.3001-4.3013 (the Minnesota Pollution Control Agency's Rules of Procedure). The above-cited procedural rules are available for inspection at the Office of Administrative Hearings and the Minnesota Pollution Control Agency or may be purchased from the State Register and Public Documents Division of the Department of Administration, 117 University Avenue, Saint Paul, Minnesota 55111, (612) 297-3000.

At present, the parties to the respective cases are as follows: Evansville Application—the City of Evansville; Ashby Application—the City of Ashby. The Minnesota Pollution Control Agency staff intends to intervene as a party. All parties have the right to be represented throughout the proceeding by legal counsel, by themselves, or by a person of their choice (if such representation is not otherwise prohibited as the unauthorized practice of law). Any person desiring to intervene as a party must submit to the hearing examiner and serve upon all existing parties a petition to intervene, pursuant to 9 MCAR § 2.210. The petition must be timely (as determined by the hearing examiner) and must show how that person's legal rights, duties, and privileges may be affected by the decision in this case. The petition must also set forth grounds and the purpose for which intervention is sought and indicate the petitioner's statutory right to intervene if one should exist.

A party to the case has the right to present evidence, rebuttal testimony, and argument with respect to the issues and to cross-examine witnesses. Further, parties may be entitled, pursuant to 9 MCAR § 2.216, to issuance of subpoenas requiring the attendance of witnesses and the production of documents relevant to any matter involved in the hearing. Interested persons may present oral and written statements at the hearing without becoming parties at the discretion of the hearing examiner as follows: the hearing examiner may hear the testimony and receive exhibits from any person at the hearing, or allow a person to note her/his appearance, or allow a person to question witnesses, but no person shall become, or be deemed to have become, a party by reason of such participation. Persons offering testimony or exhibits may be questioned by parties to the proceeding. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

The Minnesota Pollution Control Agency is authorized to hold a consolidated hearing pursuant to 6 MCAR § 4.3009 and such consolidation has been approved by the chief hearing examiner. Any party may object to consolidation by filing a petition for severance from consolidation with the hearing examiner and serving such petition upon all parties by November 25, 1981. The petition must set forth petitioner's name, address, and reasons for the petition.

At present, the representatives of parties to this proceeding who should be served with the above petitions are the following:

Representative for Evansville

Wilber Nelson, Mayor
City of Evansville
City Hall
Evansville, Minnesota 56326

Representative for Ashby

Robert Peplin
McCombs—Knutson Associates, Inc.
12800 Industrial Park Boulevard
Plymouth, Minnesota 55441

Counsel for Minnesota Pollution Control Agency Staff

Andrew Desmond, Student Attorney
Environmental Law Clinic
University of Minnesota Law School
229-19th Avenue South
Minneapolis, Minnesota 55455

and

Marlene E. Senechal
Special Assistant Attorney General
Minnesota Pollution Control Agency
1935 West County Road B2
Roseville, Minnesota 55113

A Notice of Appearance Form must be completed and returned to the hearing examiner by November 21, 1981 by each person admitted as a party to the hearing. Notice of Appearance need not be filed by persons who wish to present oral or written statement without becoming parties.

Please be advised that failure of any party to appear at the hearing may result in denial of the variance which the party has requested.

Please be advised that the issues to be considered at the hearing may, without further notice, be modified or amended by the hearing examiner during prehearing conferences. Additionally, prehearing conferences may result in the establishment of foundation for witnesses and exhibits and, furthermore, may lead to a settlement of the issues surrounding the City of Ashby's and the City of Evansville's request for a variance. Questions concerning the issues raised in the order or concerning informal disposition or discovery may be directed to Student Attorney Andrew Desmond, Environmental Law Clinic, University of Minnesota Law School, 229-19th Avenue South, Minneapolis, Minnesota 55455, (612) 376-2318 and to Marlene E. Senechal, Special Assistant Attorney General, Minnesota Pollution Control Agency, 1935 West County Road B2, Roseville, Minnesota 55113, (612) 296-7346.

If any person has a good reason for requesting a delay of the hearing, a request must be made in writing to the hearing examiner at least five days prior to the hearing. A copy of the request must be served on all parties.

October 26, 1981

Louis Breimhurst, Executive Director
Minnesota Pollution Control Agency

Department of Public Welfare Income Maintenance Bureau

Public Notice Regarding Changes in Minnesota Medical Assistance and General Assistance Medical Care

On December 1, 1981, the Department of Public Welfare (DPW) intends to implement changes in the method of reimbursement for out-patient hospital services provided to recipients of General Assistance Medical Care (GAMC) and Medical Assistance (MA).

Notice concerning the change in method for out-patient hospital reimbursement was originally published on May 18, 1981, 5 S.R. 1875, 1878. Hospitals were notified that the date for implementation of the changes would be September 1, 1981. However, Congress enacted the Omnibus Budget Reconciliation Act of 1981 in August. DPW notified the hospitals that implementation would be delayed until the applicable provisions of the new law could be reviewed.

At this time, it is DPW's intent to implement the changes in out-patient hospital reimbursement on December 1, 1981.

Department of Revenue Sales and Use Tax Division

Notice of Intent to Solicit Outside Opinion on Rule Relating to Taxability of Meals and Drinks and the Exemption for Food Products

The Department of Revenue, Sales and Use Tax Division, is beginning to look at possible amendments to the rule relating to taxability of meals and drinks and the exemption for food products. The purpose of any potential amendments would be to clarify taxable and exempt sales so that sales tax vendors can more easily comply with the provisions of the Sales Tax Act.

Any changes to Tax Sales & Use 108 may impact food retailers, restaurant operators, and other vendors selling food or food products.

Anyone wishing to comment on the existing sales tax rule (Tax Sales & Use 108) or suggest amendments to the rule should submit the comments and suggestions to:

John Streiff, Attorney
Sales and Use Tax Division
Department of Revenue
Centennial Office Building
St. Paul, Minnesota 55145

Comments and suggestions should be submitted by November 30, 1981, and will be made a part of the record if the rule is amended.

OFFICIAL NOTICES

Department of Transportation Technical Services Division

Scheduled Meeting of a State Aid Variance Committee

Notice is hereby given that the Commissioner of Transportation will reconvene the State Aid Standards Variance Committee on Monday, November 9, 1981, at 2:00 P.M. in Room G-18, State Transportation Building, John Ireland Boulevard, St. Paul, Minnesota.

This notice is given pursuant to Minnesota Statutes § 471.705.

The purpose of the open meeting is to afford all interested parties an opportunity to express their concerns as to the City of Richfield's request to construct Lyndale Avenue South between South Lakeshore Drive and 47th Street to a minimum roadway width of 47 feet with no parking instead of a roadway width of 52 feet with no parking. Any person desiring to may appear at the above noted place at the stated time.

Dated this 23rd day of October, 1981.

Richard P. Braun
Commissioner of Transportation

Department of Transportation

Resolution of Cottonwood County Requesting a Variance from Department of Transportation State Aid Operations Rule 14 MCAR § 1.5032 H.1.d. for Cottonwood County State Aid Highway No. 13 between the East Limits of Windom and Its Junction with C.S.A.H. No. 2; which Highway Does Not Meet Minimum Design Speeds

Order for and Notice of Hearing

It is hereby ordered, and notice is hereby given, that a contested case hearing concerning the above-entitled matter will be held on December 10, 1981 at 9:30 a.m. in the 5th District Court, Cottonwood County Court House, Windom, Minnesota.

The hearing will be held before Mr. George Deretich, 1745 University Avenue, Saint Paul, Minnesota 55104 (Telephone: 612-296-8116) a hearing examiner appointed by the chief hearing examiner of the State of Minnesota. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested case proceeding. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.052 and 9 MCAR §§ 2.201 through 2.222. Questions concerning the issues raised in this order or concerning informal disposition or discovery may be directed to Mr. Donald Mueing, Office of the Attorney General, 515 Transportation Building, Saint Paul, Minnesota 55155 (Telephone: 612-296-3369).

The purpose of the hearing is to ensure that under the provisions of Minn. Stat. § 162.09, subd. 3a and 14 MCAR § 1.5032 M. all parties and potential parties of interest are given an opportunity to be heard on the resolution of Cottonwood County requesting a variance from Department of Transportation State Aid Operation Rule 14 MCAR § 1.5032 H.1.d. for Cottonwood County State Aid Highway No. 13 between the east limits of Windom and its junction with CSAH No. 2; which highway does not meet minimum design speeds.

The resolution recites among other matters that:

Whereas: Cottonwood County State Aid Highway No. 13 does not meet minimum design speed standards between the east limits of Windom and its Junction with C.S.A.H. No. 2 south of Bingham Lake, and

Whereas: The Cottonwood County Board of Commissioners desire to protect and extend the life of this section of C.S.A.H. No. 13 by providing a new bituminous surface overlay, and

Whereas: The Cottonwood County Board of Commissioners did request a variance from State Aid Rules 14 MCAR § 1.5032 H.1.d., and

Whereas: The variance request was denied by the Commissioner of Transportation,

Now, therefore, be it resolved, that the Cottonwood County Board of Commissioners request a contested case hearing as provided by Minnesota Statutes 1980.

Adopted: September 2, 1981.

OFFICIAL NOTICES

The issue to be decided at the hearing is whether the County of Cottonwood has shown by a preponderance of the evidence that it is entitled to the variance requested under the provision of Minn. Stat. § 162.09 (1980) and 14 MCAR § 1.5032 M.

Any person who desires to become a party to this matter must submit a timely petition to intervene to the hearing examiner pursuant to 9 MCAR § 2.210, showing how the person's legal rights, duties and privileges may be determined or affected by the decision in this case. The petition must also set forth the grounds and purposes for which intervention is sought.

All parties are advised that if a party intends to appear at the hearing scheduled for December 10, 1981, the Notice of Appearance form enclosed with this order must be completed and returned to the hearing examiner at least 10 days before the hearing date. Should a party fail to appear at the hearing, the allegations made in the notice may be taken as true.

The above cited procedural rules are available at the Office of Administrative Hearings or may be purchased from the State Register and Public Documents Section of the Department of Administration, Ford Building, 117 University Avenue, Saint Paul, Minnesota 55155 (Telephone: 612-297-3000). They provide generally for the procedural rights of the parties including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross-examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents. If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the hearing examiner at least 5 days prior to the hearing. A copy of the request must be served on the agency and any other parties.

October 23, 1981

Richard P. Braun, Commissioner

STATE OF MINNESOTA

DEPARTMENT OF TRANSPORTATION

In the matter of the Resolution of Cottonwood County requesting a variance from Department of Transportation State Aid Operations Rule 14 MCAR § 1.5032 H., 1., d. for Cottonwood County State Aid Highway No. 13 between the east limits of Windom and its junction with C.S.A.H. No. 2; which highway does not meet minimum design speeds.

NOTICE OF APPEARANCE

Date and Time of Hearing: December 10, 1981 at 9:30 a.m.

Name and Telephone Number of Hearing Examiner: Mr. George Deretich
1745 University Avenue
Saint Paul, Minn. 55104
296-8116

TO THE HEARING EXAMINER:

You are advised that the party named below will appear at the above hearing.

Name of Party: _____

Address: _____

Telephone Number: _____

Party's Attorney or Other Representative: _____

Signature of Party or Attorney: _____

Date: _____

STATE OF MINNESOTA

State Register and Public Documents Division
117 University Avenue
St. Paul, Minnesota 55155

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